

1           **\*-0030/1.116\* SECTION 1981.** 103.001 (6) of the statutes is amended to read:

2           103.001 (6) "Employer" means any person, firm, corporation, state, county,  
3 town, city, village, school district, sewer district, drainage district, family care  
4 district and other public or quasi-public corporations as well as any agent, manager,  
5 representative or other person having control or custody of any employment, place  
6 of employment or of any employee.

7           **\*-1186/4.38\* SECTION 1982.** 106.115 (1) (b) of the statutes is repealed.

8           **\*-1922/5.13\* SECTION 1983.** 106.115 (1) (f) of the statutes is repealed.

9           **\*-1922/5.14\* SECTION 1984.** 106.115 (1) (g) of the statutes is repealed.

10          **\*-1922/5.15\* SECTION 1985.** 106.115 (2) (e) of the statutes is repealed.

11          **\*-1922/5.16\* SECTION 1986.** 106.115 (2) (em) of the statutes is repealed.

12          **\*-1922/5.17\* SECTION 1987.** 106.12 (title) of the statutes is amended to read:

13          **106.12 (title) ~~Division of connecting education and work~~ Governor's**  
14 **work-based learning board.**

15          **\*-1922/5.18\* SECTION 1988.** 106.12 of the statutes is renumbered 106.12 (2)  
16 and amended to read:

17          106.12 (2) EMPLOYMENT AND EDUCATION PROGRAM ADMINISTRATION. ~~Based on the~~  
18 ~~recommendations of the governor's council on workforce excellence, the division of~~  
19 ~~connecting education and work~~ The board shall plan, coordinate, administer and  
20 implement the department's workforce excellence initiatives, programs, policies and  
21 funding, the youth apprenticeship and, school-to-work, technical college study  
22 grant and work-based learning programs under s. 106.13 (1) and such other  
23 employment and education programs as the governor may by executive order assign  
24 to the ~~division~~ board. Notwithstanding any limitations placed on the use of state  
25 employment and education funds under this section or s. 106.13, ~~or 106.14, 106.15,~~

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1     ~~106.20 or 106.21~~ or under an executive order assigning an employment and  
2     education program to the ~~division~~ board, the ~~secretary~~ board may issue a general or  
3     special order waiving any of those limitations on finding that the waiver will promote  
4     the coordination of employment and education services.

5           **\*-1922/5.19\* SECTION 1989.** 106.12 (1) of the statutes is created to read:

6           106.12 (1) DEFINITION. In this section and ss. 106.13 and 106.14, "board" means  
7     the governor's work-based learning board.

8           **\*-1922/5.20\* SECTION 1990.** 106.12 (3) of the statutes is created to read:

9           106.12 (3) EXECUTIVE DIRECTOR. The governor shall appoint an executive  
10     director of the board outside the classified service to serve at the pleasure of the  
11     governor. The executive director shall be in charge of the board's administrative  
12     functions.

13          **\*-1922/5.21\* SECTION 1991.** 106.13 (title) of the statutes is amended to read:

14          **106.13 (title) Youth apprenticeship and, school-to-work technical**  
15     **college study grant and work-based learning programs.**

16          **\*-1922/5.22\* SECTION 1992.** 106.13 (1) of the statutes is amended to read:

17          106.13 (1) The ~~department~~ board shall provide a youth apprenticeship  
18     program and that includes the grant programs under subs. (3m) and (4), a  
19     school-to-work program in accordance with 20 USC 6101 to 6251, that includes the  
20     school-to-work program for children at risk under sub. (4m), a technical college  
21     study grant program as described in sub. (4g) and, for youths who are eligible to  
22     receive temporary assistance for needy families under 42 USC 601 to 619, a  
23     work-based learning program.

24          **\*-1922/5.23\* SECTION 1993.** 106.13 (2) of the statutes is amended to read:

1           106.13 (2) The governor's council on workforce excellence, the technical college  
2           system board and the department of public instruction shall assist the ~~department~~  
3           ~~of workforce development board~~ in providing the youth apprenticeship program and,  
4           the school-to-work program, the technical college study grant program and the  
5           work-based learning program under sub. (1).

6           **\*-1922/5.24\* SECTION 1994.** 106.13 (2m) of the statutes is renumbered 106.13  
7           (2m) (a) and amended to read:

8           106.13 (2m) (a) ~~After reviewing the recommendations of the governor's council~~  
9           ~~on workforce excellence under s. 106.115 (2) (e), the department~~ The board shall  
10          approve occupations, and maintain a list of approved occupations, for the youth  
11          apprenticeship program, shall approve the curricula developed under par. (b) for  
12          youth apprenticeship programs for those approved occupations and shall approve  
13          statewide skill standards for the school-to-work program.

14          (b) From the appropriation under s. ~~20.445 (1) (ev)~~ 20.292 (1) (m), the  
15          ~~department shall~~ technical college system board shall expend not more than  
16          \$125,000 in each fiscal year to develop curricula for youth apprenticeship programs  
17          for occupations approved under this subsection par. (a). In developing that curricula,  
18          the technical college system board shall consult with the governor's work-based  
19          learning board.

20          **\*-1922/5.25\* SECTION 1995.** 106.13 (3m) of the statutes is created to read:

21          106.13 (3m) (a) In this subsection, "local partnership" means one or more  
22          school districts, or any combination of one or more school districts, other public  
23          agencies, as defined in sub. (4) (a) 2., nonprofit organizations, as defined in sub. (4)  
24          (a) 1., individuals or other persons, who have agreed to be responsible for  
25          implementing and coordinating a local youth apprenticeship program.

1 (b) From the appropriation under s. 20.445 (7) (b), the board shall award grants  
2 to applying local partnerships for the implementation and coordination of local youth  
3 apprenticeship programs. A local partnership shall include in its grant application  
4 the identity of each public agency, nonprofit organization, individual and other  
5 person who is a participant in the local partnership, a plan to accomplish the  
6 implementation and coordination activities specified in subds. 1. to 6. and the  
7 identity of a fiscal agent who shall be responsible for receiving, managing and  
8 accounting for the grant moneys received under this paragraph. A local partnership  
9 that is awarded a grant under this paragraph may use the grant moneys awarded  
10 for any of the following implementation and coordination activities:

11 1. Recruiting employers to provide on-the-job training and supervision for  
12 youth apprentices and providing technical assistance to those employers.

13 2. Recruiting students to participate in the local youth apprenticeship program  
14 and monitoring the progress of youth apprentices participating in the program.

15 3. Coordinating youth apprenticeship training activities within participating  
16 school districts and among participating school districts, postsecondary institutions  
17 and employers.

18 4. Coordinating academic, vocational and occupational learning, school-based  
19 and work-based learning and secondary and postsecondary education for  
20 participants in the local youth apprenticeship program.

21 5. Assisting employers in identifying and training workplace mentors and  
22 matching youth apprentices and mentors.

23 6. Any other implementation or coordination activity that the board may direct  
24 or permit the local partnership to perform.

25 **\*-1922/5.26\* SECTION 1996.** 106.13 (4) (b) of the statutes is amended to read:

1           106.13 (4) (b) From the appropriation under s. 20.445 ~~(1)~~ (7) (em), the  
2   ~~department~~ board may award a grant to a public agency or a nonprofit organization,  
3   or to an employer that is responsible for the on-the-job training and supervision of  
4   a youth apprentice. A public agency or non-profit organization that receives a grant  
5   under this subsection shall use the funds awarded under the grant to award training  
6   grants to employers that provide on-the-job training and supervision for youth  
7   apprentices. Subject to par. (c), a training grant provided under this subsection may  
8   be awarded to an employer for each youth apprentice who receives at least 180 hours  
9   of paid on-the-job training from the employer during a school year, as defined in s.  
10   115.001 (13). The amount of a training grant may not exceed \$500 per youth  
11   apprentice per school year. A training grant may not be awarded for any specific  
12   youth apprentice for more than 2 school years.

13           **\*-1922/5.27\* SECTION 1997.** 106.13 (4) (c) of the statutes is amended to read:

14           106.13 (4) (c) Notwithstanding par. (b), the ~~department~~ board may award a  
15   training grant under this subsection to an employer that provides less than 180  
16   hours of paid on-the-job training for a youth apprentice during a school year, as  
17   defined in s. 115.001 (13), if the ~~department~~ board determines that it would be  
18   beneficial for the youth apprentice to receive on-the-job training from more than one  
19   employer.

20           **\*-1922/5.28\* SECTION 1998.** 106.13 (4g) of the statutes is created to read:

21           106.13 (4g) (a) From the appropriation under s. 20.445 (7) (c), the board may  
22   award study grants to high school graduates who meet or exceed a grade point  
23   average determined by the board and who enroll full-time in a technical college  
24   district school under ch. 38 within one year after graduation from high school.

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1 (b) The board shall establish requirements, including a minimum grade point  
2 average requirement, that a student must meet to be eligible to receive a study grant  
3 under par. (a). Notwithstanding sub. (5), those requirements need not be  
4 promulgated as rules.

5 **\*-1922/5.29\* SECTION 1999.** 106.13 (5) of the statutes is amended to read:

6 106.13 (5) The ~~department~~ board shall promulgate rules to administer this  
7 section.

8 **\*-1922/5.30\* SECTION 2000.** 106.14 (1) of the statutes, as affected by 1997  
9 Wisconsin Act 27, section 2679, is amended to read:

10 106.14 (1) ~~The department~~ From the appropriation under s. 20.445 (7) (g), the  
11 board may award grants to nonprofit corporations and public agencies for the  
12 provision of career counseling centers throughout the state.

13 **\*-1922/5.31\* SECTION 2001.** 106.14 (3) of the statutes is amended to read:

14 106.14 (3) Any nonprofit corporation or public agency may apply for a grant to  
15 operate a career counseling center under this section. The ~~department~~ board shall  
16 review the applications submitted under this subsection according to procedures and  
17 criteria established by the ~~department~~ board.

18 **\*-1922/5.32\* SECTION 2002.** 106.14 (4) of the statutes is amended to read:

19 106.14 (4) Amounts awarded under sub. (3) may be paid in instalments and  
20 shall range from 25% to 75% of the total cost of operating the career counseling  
21 center, except that after 3 years of receiving grant funds under this section a grant  
22 recipient may receive no more than 50% of the total cost of operating the career  
23 counseling center. The ~~department~~ board shall require the grant recipient to provide  
24 the remaining percentage share of the total project cost.

25 **\*-1186/4.39\* SECTION 2003.** 106.18 of the statutes is repealed.

1           **\*-0502/2.1\* SECTION 2004.** 106.215 (10) (g) 1. of the statutes is amended to  
2 read:

3           106.215 (10) (g) 1. A person who is employed as a corps enrollee for a 6-month  
4 to one-year period of continuous employment, as determined by standards adopted  
5 by the board, and who receives a satisfactory employment evaluation upon  
6 termination of employment is entitled to an incentive payment of \$500 prorated in  
7 the same proportion as the number of hours of employment completed by that person  
8 bears to 2,080 hours or an education voucher that is worth at least double the  
9 monetary value of the prorated incentive payment, but not more than ~~\$2,600~~ \$2,800  
10 prorated in the same proportion as the number of hours of employment completed  
11 by that person bears to 2,080 hours. No corps enrollee may receive more than 2  
12 incentive payments or 4 education vouchers.

13           **\*-1922/5.33\* SECTION 2005.** 108.20 (2m) of the statutes, as affected by 1997  
14 Wisconsin Act 39, section 146, is amended to read:

15           108.20 (2m) From the moneys not appropriated under s. 20.445 (1) (ge), (gf) and  
16 (gg) which are received by the administrative account as interest and penalties  
17 under this chapter, the department shall pay the benefits chargeable to the  
18 administrative account under s. 108.07 (5) and the interest payable to employers  
19 under s. 108.17 (3m) and may pay interest due on advances to the unemployment  
20 reserve fund from the federal unemployment account under title XII of the social  
21 security act, 42 USC 1321 to 1324, may make payments to satisfy a federal audit  
22 exception concerning a payment from the fund or any federal aid disallowance  
23 involving the unemployment insurance program, or may make payments to the fund  
24 if such action is necessary to obtain a lower interest rate or deferral of interest  
25 payments on advances from the federal unemployment account under title XII of the

1 social security act or may transfer moneys from the appropriation account under s.  
2 20.445 (1) (gd) to the appropriation under s. 20.445 (7) (k) for the payment of career  
3 counseling center grants under s. 106.14, except that any interest earned pending  
4 disbursement of federal employment security grants under s. 20.445 (1) (n) shall be  
5 credited to the general fund. Any moneys reverting to the administrative account  
6 from the appropriations under s. 20.445 (1) (ge) and (gf) shall be utilized as provided  
7 in this subsection.

8 **\*-0797/2.3\* SECTION 2006.** 110.07 (1) (a) (intro.) of the statutes is amended to  
9 read:

10 110.07 (1) (a) (intro.) The secretary shall employ not to ~~exceed 385~~ more than  
11 400 traffic officers. ~~Such~~ The state traffic patrol consists of the traffic officers, ~~in~~  
12 ~~addition to~~ the person designated to head them whose position shall be in the  
13 classified service, ~~shall constitute the~~ and, if certified under s. 165.85 (4) (b) 1. as  
14 qualified to be a law enforcement officer, the division administrator who is counted  
15 under s. 230.08 (2) (e) 12. and whose duties include supervising the state traffic  
16 patrol. Members of the state traffic patrol, and shall:

\*\*\*\*NOTE: The treatment of this section by LRB-0797/1 is reconciled with  
LRB-1494/P2, which should not appear in the compiled bill.

17 **\*-1886/P1.1\* SECTION 2007.** 110.07 (2m) of the statutes is amended to read:

18 110.07 (2m) In addition to the primary powers granted by subs. (1) and (2), any  
19 officer of the state traffic patrol shall have the powers of a peace officer under s. 59.28,  
20 except that the officer shall have the arrest powers of a law enforcement officer under  
21 s. 968.07, regardless of whether the violation is punishable by forfeiture or criminal  
22 penalty. A state traffic officer shall at all times be available as a witness for the state  
23 ~~but shall not conduct investigations for crimes under chs. 939 to 948.~~ The primary



1 duty of a state traffic officer shall be the enforcement of chs. 340 to 351 or of any other  
2 law relating to the use or operation of vehicles upon the highway. No state traffic  
3 officer shall be used in or take part in any dispute or controversy between employer  
4 or employe concerning wages, hours, labor or working conditions; nor shall any such  
5 officer be required to serve civil process. The department may assign state traffic  
6 officers to safeguard state officers or other persons.

7 **\*-1886/P1.2\* SECTION 2008.** 110.07 (4) of the statutes is amended to read:

8 110.07 (4) In addition to the primary powers granted by sub. (3), any inspector  
9 shall have the powers of a peace officer under s. 59.28, except that the inspector shall  
10 have the arrest powers of a law enforcement officer under s. 968.07, regardless of  
11 whether the violation is punishable by forfeiture or criminal penalty. An inspector  
12 shall at all times be available as a witness for the state ~~but shall not conduct~~  
13 ~~investigations for crimes under chs. 939 to 948.~~ The primary duty of an inspector  
14 shall be the enforcement of the provisions specified in sub. (3). No inspector may be  
15 used in or take part in any dispute or controversy between employer or employe  
16 concerning wages, hours, labor or working conditions; nor may an inspector be  
17 required to serve civil process. The department may assign inspectors to safeguard  
18 state officers or other persons.

19 **\*-0797/2.4\* SECTION 2009.** 110.07 (6) of the statutes is created to read:

20 110.07 (6) The division administrator who is counted under s. 230.08 (2) (e) 12.  
21 and whose duties include supervising the state traffic patrol shall be designated  
22 superintendent of the state traffic patrol, if he or she is certified under s. 165.85 (4)  
23 (b) 1. as qualified to be a law enforcement officer.

24 **\*-0577/3.2\* SECTION 2010.** 111.09 (2m) of the statutes is created to read:

1           111.09 (2m) The commission shall assess and collect a fee from any party who  
2 requests that the commission assemble a panel of individuals who are not members  
3 or employes of the commission to act as an arbitrator to resolve a dispute involving  
4 the interpretation or application of a collective bargaining agreement under s.  
5 111.10. Any fee assessed and collected under this subsection shall be in addition to  
6 any fee assessed and collected under sub. (2). The commission shall promulgate rules  
7 establishing a schedule of fees to be paid under this subsection. Fees required to be  
8 paid under this subsection shall be paid at the time of filing the request and any such  
9 request may not be considered filed until the date that the fee is paid. Fees collected  
10 under this subsection shall be credited to the appropriation account under s. 20.425  
11 (1) (h).

12           \***-0030/1.117\*** SECTION 2011. 111.70 (1) (j) of the statutes is amended to read:

13           111.70 (1) (j) "Municipal employer" means any city, county, village, town,  
14 metropolitan sewerage district, school district, family care district or any other  
15 political subdivision of the state ~~which~~ that engages the services of an employe and  
16 includes any person acting on behalf of a municipal employer within the scope of the  
17 person's authority, express or implied.

18           \***-1356/5.1\*** SECTION 2012. 111.70 (4) (m) (title), 1., 2. and 4. of the statutes are  
19 amended to read:

20           111.70 (4) (m) (title) *Prohibited subjects of bargaining; school districts.*

21           1. Reassignment of municipal employes ~~who perform services for a board of~~  
22 ~~school directors under ch. 119~~, with or without regard to seniority, as a result of a  
23 decision of the ~~board of school directors~~ municipal employer to contract with an  
24 ~~individual or group~~ a person to operate a school as a charter school, as defined in s.  
25 115.001 (1), or to convert a school to a charter school, or the impact of any such

1 reassignment on the wages, hours or conditions of employment of the municipal  
2 employes who perform those services.

3 2. Reassignment of municipal employes ~~who perform services for a board of~~  
4 ~~school directors~~, with or without regard to seniority, as a result of the decision of the  
5 ~~board~~ municipal employer to close or reopen a school under s. ~~119.18 (23)~~ 118.36, or  
6 the impact of any such reassignment on the wages, hours or conditions of  
7 employment of the municipal employes who perform those services.

8 4. Any decision of a ~~board of school directors~~ municipal employer to contract  
9 with a school or agency to provide educational programs under s. ~~119.235~~ 118.37, or  
10 the impact of any such decision on the wages, hours or conditions of employment of  
11 the municipal employes who perform services for the ~~board~~ municipal employer.

12 \*-0577/3.3\* SECTION 2013. 111.71 (2m) of the statutes is created to read:

13 111.71 (2m) The commission shall assess and collect a fee from any party who  
14 requests that the commission assemble a panel of individuals who are not members  
15 or employes of the commission to act as an arbitrator to resolve a dispute involving  
16 the interpretation or application of a collective bargaining agreement under s. 111.70  
17 (4) (c) 2. or (cm) 4. Any fee assessed and collected under this subsection shall be in  
18 addition to any fee assessed and collected under sub. (2). The commission shall  
19 promulgate rules establishing a schedule of fees to be paid under this subsection.  
20 Fees required to be paid under this subsection shall be paid at the time of filing the  
21 request and any such request may not be considered filed until the date that the fee  
22 is paid. Fees collected under this subsection shall be credited to the appropriation  
23 account under s. 20.425 (1) (h).

24 \*-2077/1.1\* SECTION 2014. 111.91 (2) (r) of the statutes is created to read:

1           111.91 (2) (r) The requirements related to offering point-of-service coverage  
2           under s. 609.23.

3           **\*-0577/3.4\* SECTION 2015.** 111.94 (2m) of the statutes is created to read:

4           111.94 (2m) The commission shall assess and collect a fee from any party who  
5           requests that the commission assemble a panel of individuals who are not members  
6           or employees of the commission to act as an arbitrator to resolve a dispute involving  
7           the interpretation or application of a collective bargaining agreement under s.  
8           111.86. Any fee assessed and collected under this subsection shall be in addition to  
9           any fee assessed and collected under sub. (2). The commission shall promulgate rules  
10          establishing a schedule of fees to be paid under this subsection. Fees required to be  
11          paid under this subsection shall be paid at the time of filing the request and any such  
12          request may not be considered filed until the date that the fee is paid. Fees collected  
13          under this subsection shall be credited to the appropriation account under s. 20.425  
14          (1) (h).

15          **\*-0597/1.3\* SECTION 2016.** 114.20 (11) of the statutes is amended to read:

16          114.20 (11) ISSUANCE OF CERTIFICATE OF REGISTRATION; DISPLAY OF CERTIFICATE;  
17          REFUNDS. Upon payment of a registration fee or transfer of registration fee, the  
18          department shall issue evidence of registration which shall be displayed at all times  
19          in the manner prescribed by the department. A refund may be made for aircraft  
20          registration fees paid in error as determined by the department. ~~Refunds under this~~  
21          ~~section shall be paid out of the appropriation under s. 20.395 (4) (a).~~

22          **\*-0674/1.3\* SECTION 2017.** 115.28 (24) of the statutes is amended to read:

23          115.28 (24) PRIORITY IN AWARDING GRANTS. Give priority in awarding grants to  
24          local community organizations under sub. (21) and to school boards under ss. 115.36  
25          and ~~115.362~~ 115.361, and in awarding grants from federal funds received under 20

1 USC 2301 to 2471, 20 USC 4601 to 4665 and 29 USC 1602 (b) (1), to programs that  
2 provide more than one of the educational services specified under sub. (21), s. 115.36,  
3 ~~115.362~~ 115.361, 115.915, 118.01 (2) (d) 7. or 8. or 118.153 or 20 USC 2301 to 2471,  
4 20 USC 4601 to 4665 or 29 USC 1602 (b) (1).

5 **\*-1579/1.1\* SECTION 2018.** 115.28 (25) of the statutes is created to read:

6 115.28 (25) SCHOOL TECHNOLOGY RESOURCE GRANTS. Consult with the technology  
7 for educational achievement in Wisconsin board before awarding school technology  
8 resource grants under 20 USC 6842.

9 **\*-0674/1.4\* SECTION 2019.** 115.28 (39) of the statutes is amended to read:

10 115.28 (39) ALCOHOL AND OTHER DRUG ABUSE REPORT. By July 1, 1998, and  
11 biennially by July 1 thereafter, evaluate the effectiveness of the programs under ss.  
12 115.36, and 115.361 ~~and 115.362~~ and submit a report to the legislature under s.  
13 13.172 (2). To satisfy this reporting requirement as it pertains to s. 115.361, the  
14 department may incorporate into the report under this subsection the report  
15 required under s. 115.361 (7)(e) (2).

16 **\*-0273/1.9\* SECTION 2020.** 115.355 of the statutes is amended to read:

17 **115.355 Assistance to schools for instruction on adoption.** The  
18 department shall annually and upon request disseminate to appropriate public  
19 school staff information about materials and services available through the state  
20 adoption center under s. ~~48.551~~ 48.55 which may serve as resources for instruction  
21 on adoption for pupils in grades kindergarten through 12.

22 **\*-1265/7.21\* SECTION 2021.** 115.36 (3) (a) (intro.) of the statutes is amended  
23 to read:

24 115.36 (3) (a) (intro.) The department shall, from the appropriation under s.  
25 20.255 (2) (g) (kd), fund school district projects designed to assist minors

1 experiencing problems resulting from the use of alcohol or other drugs or to prevent  
2 alcohol or other drug abuse by minors. The department shall:

3 **\*-0674/1.5\* SECTION 2022.** 115.361 of the statutes is repealed and recreated  
4 to read:

5 **115.361 Alcohol and other drug abuse prevention and intervention**  
6 **programs.** (1) A school board may apply to the department for a grant to fund an  
7 alcohol and other drug abuse prevention and intervention program. The department  
8 shall pay grants awarded under this section from the appropriation under s. 20.255  
9 (2) (dm) and shall promulgate rules to implement and administer this section.

10 (2) The department shall collect and analyze information about the programs  
11 funded under this section, evaluate their effectiveness and submit a report of the  
12 evaluation to the appropriate standing committees of the legislature under s. 13.172  
13 (3) and to the governor by July 1, 2000, and biennially by July 1 thereafter.

14 **\*-1569/4.2\* SECTION 2023.** 115.3615 of the statutes is amended to read:

15 **115.3615 Head start supplement.** From the appropriation under s. 20.255  
16 (2) ~~(eh)~~ (kh), the state superintendent shall distribute funds to agencies determined  
17 by the state superintendent to be eligible for designation as head start agencies  
18 under 42 USC 9836 to provide comprehensive health, educational, nutritional, social  
19 and other services to economically disadvantaged children and their families. The  
20 state superintendent shall distribute the funds in a manner consistent with 42 USC  
21 9831 to 9852 except that there is no matching fund requirement. The state  
22 superintendent shall give preference in funding under this section to ~~an agency that~~  
23 is agencies that are receiving federal funds under 42 USC 9831 to 9852 and to  
24 agencies that operate full-time or early head start programs. Funds distributed  
25 under this section may be used to match available federal funds under 42 USC 9831

1 to 9852 only if the funds are used to secure additional federal funds for the purposes  
2 under this section.

3 **\*-0674/1.6\* SECTION 2024.** 115.362 of the statutes is repealed.

4 **\*-1977/2.2\* SECTION 2025.** 115.363 of the statutes is created to read:

5 **115.363 Smoking prevention programs.** (1) The department shall award  
6 grants to school districts for smoking prevention programs in grades kindergarten  
7 to 8.

8 (2) The department shall award grants under this section from the  
9 appropriation under s. 20.255 (2) (c). No grant may exceed \$10,000.

10 (3) The department shall promulgate rules to implement and administer this  
11 section.

12 **\*-2038/1.2\* SECTION 2026.** 115.406 of the statutes is created to read:

13 **115.406 Grant program for staff development.** (1) From the  
14 appropriation under s. 20.255 (2) (fL), the state superintendent shall award grants  
15 for staff development to school districts, cooperative educational service agencies  
16 and other persons.

17 (2) The state superintendent shall promulgate rules to implement and  
18 administer this section, including rules concerning eligibility requirements, the  
19 amounts of the grants that may be awarded and the uses to which the grants may  
20 be put.

21 **\*-1380/2.1\* SECTION 2027.** 115.42 (1) (a) (intro.) of the statutes is amended to  
22 read:

23 115.42 (1) (a) (intro.) ~~In the 1999-2000 school year the~~ The department shall  
24 award a \$2,000 grant to any person who satisfies all of the following requirements:

25 **\*-1380/2.2\* SECTION 2028.** 115.42 (1) (a) 1. of the statutes is amended to read:

1 115.42 (1) (a) 1. The person is certified by the National Board for Professional  
2 Teaching Standards before July 1, 2000.

3 **\*-1380/2.3\* SECTION 2029.** 115.42 (1) (b) of the statutes is created to read:

4 115.42 (1) (b) The department shall award the grant under this subsection in  
5 the school year in which the person is certified under par. (a) 1.

6 **\*-1380/2.4\* SECTION 2030.** 115.42 (2) (intro.) of the statutes is amended to  
7 read:

8 115.42 (2) (intro.) ~~In the 2000-01 school year the~~ The department shall award  
9 a \$2,500 grant to each person who received a grant under sub. (1) in each of the 9  
10 school years following the school year in which he or she received the grant if the  
11 person satisfies all of the following requirements:

12 **\*-0976/4.3\* SECTION 2031.** 115.75 (1) (a) of the statutes is amended to read:

13 115.75 (1) (a) Subject to the requirements of par. (b), each alternative school  
14 operating an American Indian language and culture education program under this  
15 subchapter shall receive state aid, from the appropriation under s. 20.255 (2) ~~(ei)~~  
16 (km), in an amount equal to ~~\$185~~ \$200 for each pupil who has completed the fall  
17 semester in the program.

18 **\*-0976/4.4\* SECTION 2032.** 115.75 (3) of the statutes is amended to read:

19 115.75 (3) If the appropriation under s. 20.255 (2) ~~(ei)~~ (km) in any year is  
20 insufficient to pay the full amount of aid under this section, state aid payments shall  
21 be prorated among the alternative schools entitled to such aid.

22 **\*-2105/1.36\* SECTION 2033.** 115.81 (9) (c) of the statutes is amended to read:

23 115.81 (9) (c) Notwithstanding ss. 48.345, 48.363, 48.427 (3), 767.24 (3), 880.12,  
24 880.15, 938.183, 938.34 (4), (4d), (4h), (4m) and (4n), 938.345, 938.357 (4) and



1 938.363, a surrogate parent has the authority to act as the child's parent in all  
2 matters relating to this subchapter.

3 **\*-1859/2.2\* SECTION 2034.** 115.88 (1m) (a) of the statutes is renumbered  
4 115.88 (1m) and amended to read:

5 115.88 (1m) PROGRAM AID. If, upon receipt of the plan under s. 115.77 (4), the  
6 state superintendent is satisfied that the special education program has been  
7 maintained during the preceding school year in accordance with law, the state  
8 superintendent shall certify to the department of administration in favor of each  
9 county, cooperative educational service agency and school district maintaining such  
10 special education program a sum equal to ~~63%~~ of the amount expended by the county,  
11 agency and school district during the preceding year for salaries of personnel  
12 enumerated in sub. (1), including the salary portion of any authorized contract for  
13 physical or occupational therapy services, ~~except as provided in par. (b),~~ and other  
14 expenses approved by the state superintendent. ~~The department of administration~~  
15 ~~shall pay such amounts to the county, agency and school district~~ as costs eligible for  
16 reimbursement from the appropriation under s. 20.255 (2) (b).

17 **\*-1724/2.1\* SECTION 2035.** 115.88 (1m) (am) of the statutes is created to read:

18 115.88 (1m) (am) 1. If the operator of a charter school established under s.  
19 118.40 (2r) operates a special education program and the state superintendent is  
20 satisfied that the operator of the charter school is complying with 20 USC 1400 to  
21 1491o as though the operator of the charter school were a local educational agency,  
22 as defined in 20 USC 1401 (15), the state superintendent shall certify to the  
23 department of administration in favor of the operator of the charter school a sum  
24 equal to the amount that the operator of the charter school estimates it will expend  
25 during the current school year for salaries of full-time or part-time licensed

1 teachers, licensed coordinators of special education, licensed school social workers,  
2 licensed school psychologists, paraprofessionals, licensed consulting teachers to  
3 work with any teacher of regular education programs who has a child with a  
4 disability in a class and any other personnel, as determined by the state  
5 superintendent. Certified costs under this paragraph are eligible for reimbursement  
6 from the appropriation under s. 20.255 (2) (b).

\*\*\*NOTE: This is reconciled s. 115.88 (1m) (am). This SECTION has been affected by  
drafts with the following LRB numbers: LRB-1724/1 and LRB-1859/1.

7 **\*-1859/2.3\* SECTION 2036.** 115.88 (1m) (b) of the statutes is repealed.

8 **\*-1859/2.4\* SECTION 2037.** 115.88 (2) of the statutes is amended to read:

9 115.88 (2) TRANSPORTATION AID. If upon receipt of the plan under s. 115.77 (4)  
10 the state superintendent is satisfied that the transportation of children with  
11 disabilities has been maintained during the preceding year in accordance with the  
12 law, the state superintendent shall certify to the department of administration in  
13 favor of each county, cooperative educational service agency or school district  
14 transporting such pupils ~~63% of an amount equal to~~ the amount expended for such  
15 transportation as costs eligible for reimbursement from the appropriations under s.  
16 20.255 (2) (b) and (br). Pupils for whom aid is paid under this subsection shall not  
17 be eligible for aid under s. 121.58 (2) or (4). ~~The department of administration shall~~  
18 ~~pay such amounts to the county, agency or school district from the appropriations~~  
19 ~~under s. 20.255 (2) (b) and (br).~~ This subsection applies to any child with a disability  
20 who requires special assistance in transportation, including any such child  
21 attending regular classes who requires special or additional transportation. This  
22 subsection does not apply to any child with a disability attending regular or special  
23 classes who does not require any special or additional transportation.

1           **\*-1724/2.2\* SECTION 2038.** 115.88 (2m) of the statutes is created to read:

2           115.88 (2m) OTHER TRANSPORTATION AID. If the operator of a charter school  
3           established under s. 118.40 (2r) transports children with disabilities and the state  
4           superintendent is satisfied that the operator of the charter school is complying with  
5           20 USC 1400 to 1491o as though the operator of the charter school were a local  
6           educational agency, as defined in 20 USC 1401 (15), the state superintendent shall  
7           certify to the department of administration in favor of the operator of the charter  
8           school a sum equal to the amount that the operator of the charter school estimates  
9           it will expend during the current school year for transportation under this subsection  
10          as costs eligible for reimbursement from the appropriations under s. 20.255 (2) (b)  
11          and (br).

      \*\*\*NOTE: This is reconciled s. 115.88 (2m). This SECTION has been affected by drafts  
      with the following LRB numbers: LRB-1724/1 and LRB-1859/1.

12          **\*-1724/2.3\* SECTION 2039.** 115.88 (9) of the statutes is amended to read:

13          115.88 (9) DISTRIBUTION SCHEDULE. Each county, cooperative educational  
14          service agency, operator of a charter school established under s. 118.40 (2r) and  
15          school district entitled to state aid under this section shall receive 15% of its total aid  
16          entitlement in each month from November to March and 25% of its total entitlement  
17          in June.

18          **\*-1859/2.5\* SECTION 2040.** 115.882 of the statutes is repealed and recreated to  
19          read:

20          **115.882 Payment of state aid.** Costs eligible for reimbursement from the  
21          appropriations under s. 20.255 (2) (b) and (br) under ss. 115.88 (1m), (2) and (2m),  
22          115.93 and 118.255 (4) shall be reimbursed at a rate set to distribute the full amount  
23          appropriated for reimbursement for such costs, not to exceed 100%.

\*\*\*\*NOTE: This is reconciled s. 115.882. This SECTION has been affected by LRB-1724/1 and LRB-1859/1.

1       **\*-1859/2.6\* SECTION 2041.** 115.93 (1) of the statutes is renumbered 115.93 and  
2 amended to read:

3       **115.93 State aid.** ~~Except as provided under sub. (2), if~~ If upon receipt of the  
4 reports under s. 115.92 (2) the state superintendent is satisfied that the school age  
5 parents program has been maintained during the preceding school year in  
6 accordance with the rules under s. 115.92 (3), the state superintendent shall certify  
7 to the department of administration in favor of each school district maintaining the  
8 program a sum equal to ~~63%~~ of the amount expended by the school district during  
9 the preceding school year for salaries of teachers and instructional aides, special  
10 transportation and other expenses approved by the state superintendent. ~~The~~  
11 ~~department of administration shall pay such amounts to the school district as costs~~  
12 eligible for reimbursement from the appropriation under s. 20.255 (2) (b).

13       **\*-1859/2.7\* SECTION 2042.** 115.93 (2) of the statutes is repealed.

14       **\*-1381/3.1\* SECTION 2043.** 118.045 of the statutes is created to read:

15       **118.045 Commencement of school term.** (1) Except as provided in sub. (2),  
16 beginning in 2001, no public school may commence the school term until September  
17 1.

18       (2) Subsection (1) does not prohibit a school board from doing any of the  
19 following:

20       (a) Holding athletic contests or practices before September 1.

21       (b) Scheduling in-service days or work days before September 1.

22       (c) Holding school year-round.

23       **\*-2105/1.37\* SECTION 2044.** 118.125 (4) of the statutes is amended to read:

1           118.125 (4) TRANSFER OF RECORDS. Within 5 working days, a school district shall  
2 transfer to another school or school district all pupil records relating to a specific  
3 pupil if the transferring school district has received written notice from the pupil if  
4 he or she is an adult or his or her parent or guardian if the pupil is a minor that the  
5 pupil intends to enroll in the other school or school district or written notice from the  
6 other school or school district that the pupil has enrolled or from a court that the pupil  
7 has been placed in a juvenile secured correctional facility ~~or, as defined in s. 938.02~~  
8 (15m), a secured child caring institution, as defined in s. 938.02 (15g), or a secured  
9 group home, as defined in s. 938.02 (15p). In this subsection, "school" and "school  
10 district" include any juvenile secured correctional facility, secured child caring  
11 institution ~~as defined in s. 938.02 (15g)~~, secured group home, adult correctional  
12 institution, mental health institute or center for the developmentally disabled, that  
13 provides an educational program for its residents instead of or in addition to that  
14 which is provided by public and private schools.

15           \*~~1922/5.34~~\* **SECTION 2045.** 118.153 (3m) of the statutes is renumbered 106.13  
16 (4m) and amended to read:

17           106.13 (4m) (a) ~~After reviewing the recommendations of the governor's council~~  
18 ~~on workforce excellence under s. 106.115 (2) (em), the state superintendent~~ The  
19 board may approve an innovative school-to-work program provided by a nonprofit  
20 organization for children at risk, as defined in s. 118.153 (1) (a), in a county having  
21 a population of 500,000 or more to assist those children at risk in acquiring  
22 employability skills and occupational-specific competencies before leaving high  
23 school. If the ~~state superintendent~~ board approves a program under this paragraph,  
24 the ~~state superintendent~~ board may award a grant, from the appropriation under s.  
25 ~~20.255 (3) (ef)~~ 20.445 (7) (ef), to the nonprofit organization providing the program and

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1 the nonprofit organization shall use the funds received under the grant to provide  
2 the program.

3 (b) The ~~state superintendent board~~ shall establish requirements for the  
4 operation of the grant program under this subsection. ~~These~~ Notwithstanding sub.  
5 (5), those requirements need not be promulgated as rules.

6 **\*-1352/1.1\* SECTION 2046.** 118.19 (3m) of the statutes is created to read:

7 118.19 (3m) The state superintendent may not renew a license issued under  
8 s. 115.28 (7) (a) unless the person seeking renewal has received instruction in  
9 educational technology, as determined by the state superintendent by rule.

10 **\*-1859/2.8\* SECTION 2047.** 118.255 (4) of the statutes is amended to read:

11 118.255 (4) If the state superintendent is satisfied that the health treatment  
12 services program has been maintained during the preceding school year in  
13 accordance with law, the state superintendent shall certify to the department of  
14 administration in favor of each school board, cooperative educational service agency  
15 and county children with disabilities education board maintaining such health  
16 treatment services, an amount equal to ~~63%~~ of the amount expended for items listed  
17 in s. 115.88 (1m) by the school board, cooperative educational service agency and  
18 county children with disabilities education board during the preceding year for these  
19 health treatment services. ~~The department of administration, upon such~~  
20 ~~certification shall distribute the amounts to the appropriate school board,~~  
21 ~~cooperative educational service agency and county children with disabilities~~  
22 ~~education board~~ as costs eligible for reimbursement from the appropriation under s.  
23 20.255 (2) (b).

24 **\*-1351/3.1\* SECTION 2048.** 118.30 (1) (b) of the statutes is amended to read:

1           118.30 (1) (b) ~~If the governor has issued pupil academic standards as an~~  
2 ~~executive order under s. 14.23, the~~ The department shall develop a high school  
3 graduation examination that is designed to measure whether pupils meet the pupil  
4 academic standards issued by the governor as executive order no. 326, dated January  
5 13, 1998.

6           **\*-1351/3.2\* SECTION 2049.** 118.30 (1g) (a) of the statutes is renumbered 118.30  
7 (1g) (a) 1.

8           **\*-1351/3.3\* SECTION 2050.** 118.30 (1g) (a) 2. of the statutes is created to read:  
9           118.30 (1g) (a) 2. By January 1, 2000, or by January 1 of the 1st school year of  
10 operation, whichever is later, each operator of a charter school under s. 118.40 (2r)  
11 shall adopt pupil academic standards in mathematics, science, reading and writing,  
12 geography and history. The operator of the charter school may adopt the pupil  
13 academic standards issued by the governor as executive order no. 326, dated January  
14 13, 1998.

15           **\*-1351/3.4\* SECTION 2051.** 118.30 (1g) (b) of the statutes is amended to read:  
16           118.30 (1g) (b) Each school board operating high school grades and each  
17 operator of a charter school under s. 118.40 (2r) that operates high school grades shall  
18 adopt a high school graduation examination that is designed to measure whether  
19 pupils meet the pupil academic standards adopted by the school board or operator  
20 of the charter school under par. (a). If the school board or operator of the charter  
21 school has adopted the pupil academic standards issued as ~~an executive order under~~  
22 ~~s. 14.23 no. 326, dated January 13, 1998,~~ the school board or operator of the charter  
23 school may adopt the high school graduation examination developed by the  
24 department under sub. (1) (b). If a school board or operator of a charter school  
25 develops and adopts its own high school graduation examination, it shall notify the

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1 department annually by October 1 that it intends to administer the examination in  
2 the following school year.

3 **\*-1351/3.5\* SECTION 2052.** 118.30 (1g) (c) of the statutes is amended to read:

4 118.30 (1g) (c) Each school board operating elementary grades and each  
5 operator of a charter school under s. 118.40 (2r) that operates elementary grades may  
6 develop or adopt its own examination designed to measure pupil attainment of  
7 knowledge and concepts in the 4th grade and may develop or adopt its own  
8 examination designed to measure pupil attainment of knowledge and concepts in the  
9 8th grade. If the school board or operator of the charter school develops or adopts an  
10 examination under this paragraph, it shall notify the department.

11 **\*-1351/3.6\* SECTION 2053.** 118.30 (1m) (intro.) of the statutes is amended to  
12 read:

13 118.30 (1m) (intro.) Except as otherwise provided in this section ~~and in s.~~  
14 ~~118.40 (2r) (d)~~, annually each school board shall do all of the following:

15 **\*-1351/3.7\* SECTION 2054.** 118.30 (1m) (b) of the statutes is amended to read:

16 118.30 (1m) (b) Administer the 10th grade examination to all pupils enrolled  
17 in the school district, including pupils enrolled in charter schools located in the school  
18 district, in the 10th grade. ~~This paragraph does not apply after the 2000-01 school~~  
19 ~~year.~~

20 **\*-1351/3.8\* SECTION 2055.** 118.30 (1m) (d) of the statutes is renumbered  
21 118.30 (1m) (d) 1. and amended to read:

22 118.30 (1m) (d) 1. If the school board operates high school grades, ~~beginning~~  
23 in the 2000-01 school year administer the high school graduation examination  
24 adopted by the school board under sub. (1g) (b) to pupils enrolled in the school  
25 district, including pupils enrolled in charter schools located in the school district.



1 The school board shall administer the examination at least twice ~~each school year~~.  
2 The school board shall determine the high school grades in which the examination  
3 will be administered ~~each school year~~.

4 **\*-1351/3.9\* SECTION 2056.** 118.30 (1m) (d) 2. of the statutes is created to read:

5 118.30 (1m) (d) 2. If the school board operates high school grades, beginning  
6 in the 2001-02 school year administer the high school graduation examination  
7 adopted by the school board under sub. (1g) (b) to all pupils enrolled in the school  
8 district, including pupils enrolled in charter schools located in the school district, in  
9 the 11th and 12th grades. The school board shall administer the examination at least  
10 twice each school year and may administer the examination only to pupils enrolled  
11 in the 11th and 12th grades.

12 **\*-1351/3.10\* SECTION 2057.** 118.30 (1r) of the statutes is created to read:

13 118.30 (1r) Annually each operator of a charter school under s. 118.40 (2r) shall  
14 do all of the following:

15 (a) 1. Except as provided in sub. (6), administer the 4th grade examination  
16 adopted or approved by the state superintendent under sub. (1) (a) to all pupils  
17 enrolled in the charter school in the 4th grade. Beginning on July 1, 2002, if the  
18 operator of the charter school has not developed or adopted its own 4th grade  
19 examination, the operator of the charter school shall provide a pupil with at least 2  
20 opportunities to achieve a score on the examination administered under this  
21 subdivision that is sufficient for promotion under sub. (5m) (a) 1.

22 2. Beginning on July 1, 2002, if the operator of the charter school has developed  
23 or adopted its own 4th grade examination, administer that examination to all pupils  
24 enrolled in the charter school in the 4th grade. The operator of the charter school

1 shall provide a pupil with at least 2 opportunities to pass the examination  
2 administered under this subdivision.

3 (am) 1. Except as provided in sub. (6), administer the 8th grade examination  
4 adopted or approved by the state superintendent under sub. (1) (a) to all pupils  
5 enrolled in the charter school in the 8th grade. Beginning on July 1, 2002, if the  
6 operator of the charter school has not developed and adopted its own 8th grade  
7 examination, the operator of the charter school shall provide a pupil with at least 2  
8 opportunities to achieve a score on the examination administered under this  
9 subdivision that is sufficient for promotion under sub. (5m) (b) 1.

10 2. Beginning on July 1, 2002, if the operator of the charter school has developed  
11 or adopted its own 8th grade examination, administer that examination to all pupils  
12 enrolled in the charter school in the 8th grade. The operator of the charter school  
13 shall provide a pupil with at least 2 opportunities to pass the examination  
14 administered under this subdivision.

15 (b) Administer the 10th grade examination to all pupils enrolled in the charter  
16 school in the 10th grade.

17 (d) 1. If the charter school operates high school grades, in the 2000–01 school  
18 year administer the high school graduation examination adopted by the operator of  
19 the charter school under sub. (1g) (b) at least twice. The operator of the charter school  
20 shall determine the high school grades in which the examination will be  
21 administered.

22 2. If the charter school operates high school grades, beginning in the 2001–02  
23 school year, administer the high school graduation examination adopted by the  
24 operator of the charter school under sub. (1g) (b) to all pupils enrolled in the 11th and  
25 12th grades in the charter school. The operator of the charter school shall administer

1 the examination at least twice each school year and may administer the examination  
2 only to pupils enrolled in the 11th and 12th grades.

3 **\*-1351/3.11\* SECTION 2058.** 118.30 (2) (b) 1. and 2. of the statutes are amended  
4 to read:

5 118.30 (2) (b) 1. If a pupil is enrolled in a special education program under  
6 subch. V of ch. 115, the school board or operator of the charter school under s. 118.40  
7 (2r) shall comply with s. 115.77 ~~(1)~~ (1m) (bg).

8 2. According to criteria established by the state superintendent by rule, the  
9 school board or operator of the charter school under s. 118.40 (2r) may determine not  
10 to administer an examination under this section to a limited-English speaking  
11 pupil, as defined under s. 115.955 (7), may permit the pupil to be examined in his or  
12 her native language or may modify the format and administration of an examination  
13 for such pupils.

14 **\*-1351/3.12\* SECTION 2059.** 118.30 (2) (b) 3. of the statutes is amended to read:

15 118.30 (2) (b) 3. Upon the request of a pupil's parent or guardian, the school  
16 board shall excuse the pupil from taking an examination administered under ~~this~~  
17 ~~section~~ sub. (1m) (a), (am) or (b).

18 **\*-1351/3.13\* SECTION 2060.** 118.30 (5m) of the statutes is created to read:

19 118.30 (5m) (a) Except as provided in par. (c), beginning on July 1, 2002, the  
20 operator of a charter school under s. 118.40 (2r) may not promote a 4th grade pupil  
21 to the 5th grade unless one of the following applies:

22 1. If the operator of the charter school does not administer its own 4th grade  
23 examination under sub. (1r) (a) 2., the pupil's score in each subject area on the  
24 examination administered under sub. (1r) (a) 1. is at the basic level or above, as  
25 determined by the state superintendent.

1           2. If the operator of the charter school board administers its own 4th grade  
2 examination under sub. (1r) (a) 2., the pupil achieves a passing score on that  
3 examination, as determined by the operator of the charter school.

4           (b) Except as provided in par. (c), beginning on July 1, 2002, the operator of a  
5 charter school under s. 118.40 (2r) may not promote an 8th grade pupil to the 9th  
6 grade unless one of the following applies:

7           1. If the operator of the charter school board does not administer its own 8th  
8 grade examination under sub. (1r) (am) 2., the pupil's score in each subject area on  
9 the examination administered under sub. (1r) (am) 1. is at the basic level or above,  
10 as determined by the state superintendent.

11           2. If the operator of the charter school administers its own 8th grade  
12 examination under sub. (1r) (am) 2., the pupil achieves a passing score on that  
13 examination, as determined by the operator of the charter school.

14           (c) The operator of a charter school under s. 118.40 (2r) shall develop  
15 alternative criteria for evaluating a pupil who did not take the 4th grade or the 8th  
16 grade examination that was required for promotion as a result of sub. (2) (b). The  
17 operator of the charter school may promote a pupil who did not take the examination  
18 that was required for promotion as a result of sub. (2) (b) if the pupil satisfies the  
19 alternative criteria.

20           \***-1351/3.14\*** **SECTION 2061.** 118.30 (6) of the statutes is amended to read:

21           118.30 (6) A school board and an operator of a charter school under s. 118.40  
22 (2r) is not required to administer the 4th and 8th grade examinations adopted or  
23 approved by the state superintendent under sub. (1) (a) if the school board or the  
24 operator of the charter school administers its own 4th and 8th grade examinations,  
25 the school board or operator of the charter school provides the state superintendent

1 with statistical correlations of those examinations with the examinations adopted or  
2 approved by the state superintendent under sub. (1) (a), and the federal department  
3 of education approves.

4 **\*-1351/3.15\* SECTION 2062.** 118.33 (1) (cm) of the statutes is amended to read:

5 118.33 (1) (cm) Except as provided in par. (e), beginning on September 1, 2002,  
6 neither a school board nor an operator of a charter school under s. 118.40 (2r) may  
7 net grant a high school diploma to any pupil unless the pupil has passed the high  
8 school graduation examination administered under s. 118.30 (1m) (d) or (1r) (d). A  
9 school board and an operator of a charter school under s. 118.40 (2r) shall provide a  
10 pupil with at least 4 opportunities to take the examination in the high school grades.

11 **\*-1351/3.16\* SECTION 2063.** 118.33 (1) (e) of the statutes is amended to read:

12 118.33 (1) (e) Each school board and operator of a charter school under s. 118.40  
13 (2r) shall develop alternative criteria for evaluating a pupil who has been excused  
14 from the high school graduation examination under s. 118.30 (2) (b) 3. 1. or 2. A  
15 school board may grant a high school diploma to a pupil who has been excused from  
16 the high school graduation examination under s. 118.30 (2) (b) 3. 1. or 2. if the pupil  
17 satisfies all of the other requirements under this subsection and satisfies the other  
18 alternative criteria. The operator of a charter school under s. 118.40 (2r) may grant  
19 a high school diploma to a pupil who has been excused from the high school  
20 graduation examination under s. 118.30 (2) (b) 1. or 2. if the pupil satisfies the  
21 alternative criteria.

22 **\*-1353/1.1\* SECTION 2064.** 118.38 (1) (a) 7. of the statutes is amended to read:

23 118.38 (1) (a) 7. Licensure or certification under s. 115.28 (7) ~~or (7m) other than~~  
24 ~~the licensure of the school district administrator or business manager.~~

25 **\*-1354/2.1\* SECTION 2065.** 118.40 (2) (a) of the statutes is amended to read:

1           118.40 (2) (a) Within 30 days after receiving a petition under sub. (1m) the  
2 school board shall hold a public hearing on the petition. At the hearing, the school  
3 board shall consider the level of employee and parental support for the establishment  
4 of the charter school described in the petition and the fiscal impact of the  
5 establishment of the charter school on the school district. ~~After the hearing, the~~  
6 ~~school board may grant the petition.~~

7           **\*-1354/2.2\* SECTION 2066.** 118.40 (2) (c) of the statutes is amended to read:

8           118.40 (2) (c) The school board ~~of the school district operating under ch. 119~~  
9 shall either grant or deny the petition within 30 days after the public hearing. If the  
10 school board ~~of the school district operating under ch. 119~~ denies a petition, the  
11 person seeking to establish the charter school may, within 30 days after the denial,  
12 appeal the denial to the department. The department shall issue a decision within  
13 30 days after receiving the appeal. The department's decision is final and not subject  
14 to judicial review under ch. 227.

15           **\*-1351/3.17\* SECTION 2067.** 118.40 (2r) (d) 2. of the statutes is amended to  
16 read:

17           118.40 (2r) (d) 2. Administer the examinations under ss. 118.30 ~~(1m)~~ (1r) and  
18 121.02 (1) (r) to pupils enrolled in charter schools under this subsection.

19           **\*-2030/2.3\* SECTION 2068.** 118.40 (2r) (f) of the statutes is repealed.

20           **\*-2030/2.4\* SECTION 2069.** 118.40 (2r) (g) of the statutes is repealed.

21           **\*-1355/1.1\* SECTION 2070.** 118.40 (7) (am) 1. of the statutes is amended to  
22 read:

23           118.40 (7) (am) 1. Except as provided in ~~subds. subd. 2. and 3.~~, if a charter  
24 school is established under sub. (2m) and located in the school district operating  
25 under ch. 119, the school board of that school district shall determine whether or not

1 the charter school is an instrumentality of the school district. If the school board  
2 determines that a charter school is an instrumentality of the school district, the  
3 school board shall employ all personnel for the charter school. If the school board  
4 determines that a charter school is not an instrumentality of the school district, the  
5 school board may not employ any personnel for the charter school.

6 **\*-1355/1.2\* SECTION 2071.** 118.40 (7) (am) 3. of the statutes is repealed.

7 **\*-1732/1.4\* SECTION 2072.** 118.42 of the statutes is repealed.

8 **\*-2039/2.2\* SECTION 2073.** 118.43 (2) (a) of the statutes is amended to read:

9 118.43 (2) (a) The school board of any school district in which a school in the  
10 previous school year had an enrollment that was at least 50% low-income is eligible  
11 to participate in the program under this section, except that a school board is eligible  
12 to participate in the program under this section in the 2000-01 school year if in the  
13 1998-99 school year a school in the school district had an enrollment that was at least  
14 50% low-income.

15 **\*-2039/2.3\* SECTION 2074.** 118.43 (2) (b) (intro.) of the statutes is amended to  
16 read:

17 118.43 (2) (b) (intro.) In the 1996-97 ~~and 1998-99 school years~~ year, the school  
18 board of an eligible school district may enter into a 5-year achievement guarantee  
19 contract with the department on behalf of one school in the school district if all of the  
20 following apply:

21 **\*-2039/2.4\* SECTION 2075.** 118.43 (2) (bg) of the statutes is created to read:

22 118.43 (2) (bg) In the 1998-99 school year, the school board of an eligible school  
23 district may enter into a 5-year achievement guarantee contract with the  
24 department on behalf of one school in the school district if all of the following apply:

1           1. In the previous school year, the school had an enrollment that was at least  
2   30% low-income.

3           2. The school board is not receiving a grant under the preschool to grade 5  
4   program on behalf of the school under s. 115.45

5           **\*-2039/2.5\* SECTION 2076.** 118.43 (2) (br) of the statutes is created to read:

6           118.43 (2) (br) In the 2000–01 school year, the school board of an eligible school  
7   district other than the school district operating under ch. 119 may enter into a 5-year  
8   achievement guarantee contract with the department on behalf of one or more  
9   schools in the school district if all of the following apply:

10          1. In the previous school year, each school had an enrollment that was at least  
11   62% low-income.

12          2. The school board is not receiving a grant under the preschool to grade 5  
13   program on behalf of any of the schools under s. 115.45.

14          3. The school board, if eligible to participate in the program under this section  
15   in the 1996–97 and 1998–99 school years, had participated in the program during  
16   either school year.

17          4. None of the schools is a beneficiary of a contract under this section.

18          5. None of the schools is a school to which schools that are beneficiaries of  
19   contracts under this section are compared for the evaluation under sub. (7).

20          **\*-2039/2.6\* SECTION 2077.** 118.43 (2) (bt) of the statutes is created to read:

21          118.43 (2) (bt) In the 2000–01 school year, the school board of the school district  
22   operating under ch. 119 may enter into a 5-year achievement guarantee contract  
23   with the department on behalf of one or more schools in the school district if all of the  
24   following apply:



1           1. In the previous school year, each school had an enrollment that was at least  
2   80% low-income.

3           2. The school board is not receiving a grant under the preschool to grade 5  
4   program under s. 115.45 on behalf of any of the schools.

5           3. None of the schools is a beneficiary of a contract under this section.

6           4. None of the schools is a school to which schools that are beneficiaries of  
7   contracts under this section are compared for the evaluation under sub. (7).

8           **\*-2039/2.7\* SECTION 2078.** 118.43 (2) (c) of the statutes is amended to read:

9           118.43 (2) (c) Notwithstanding ~~par.~~ pars. (b) and (bg), the school board of the  
10   school district operating under ch. 119 may enter into an achievement guarantee  
11   contract on behalf of up to 10 schools under par. (b) and up to 10 schools under par.  
12   (bg).

13           **\*-2039/2.8\* SECTION 2079.** 118.43 (2) (e) 1. of the statutes is amended to read:

14           118.43 (2) (e) 1. If the school board of an eligible school district does not enter  
15   into an achievement guarantee contract with the department, a school board that  
16   has entered into such a contract, other than the school board of the school district  
17   operating under ch. 119, may apply to the department to enter into such a contract  
18   on behalf of one ~~additional school or more schools~~ that ~~meets~~ meet the requirements  
19   under par. (b), (bg) or (br).

20           **\*-2039/2.9\* SECTION 2080.** 118.43 (2) (f) of the statutes is amended to read:

21           118.43 (2) (f) The department may not enter into an achievement guarantee  
22   contract with a school board on behalf of a school after June 30, ~~1999~~ 2001.

23           **\*-2039/2.10\* SECTION 2081.** 118.43 (3) (intro.) of the statutes is amended to  
24   read:

1           118.43 (3) CONTRACT REQUIREMENTS. (intro.) Except as provided in ~~par.~~ pars.  
2           (am) and (ar), an achievement guarantee contract shall require the school board to  
3           do all of the following in each participating school:

4           \*~~2039/2.11~~\* SECTION 2082. 118.43 (3) (ar) of the statutes is created to read:

5           118.43 (3) (ar) *Class size; additional contracts.* For contracts that begin in the  
6           2000–01 school year, reduce each class size to 15 in the following manner:

7           1. In the 2000–01 school year, in at least grades kindergarten and one.

8           2. In the 2001–02 school year, in at least grades kindergarten to 2.

9           3. In the 2002–03 to 2004–05 school years, in at least grades kindergarten to  
10          3.

11          \*~~2039/2.12~~\* SECTION 2083. 118.43 (5) (b) of the statutes is amended to read:

12          118.43 (5) (b) ~~At the end of the 1997–98, 1998–99, 1999–2000, 2000–01 and~~  
13          ~~2001–02 school years~~ Annually by June 30 through the 2003–04 school year, a  
14          committee consisting of the state superintendent, the chairpersons of the education  
15          committees in the senate and assembly and the individual chiefly responsible for the  
16          evaluation under sub. (7) shall review the progress made by each school for which  
17          an achievement guarantee contract has been entered into. The committee may  
18          recommend to the department that the department terminate a contract if the  
19          committee determines that the school board has violated the contract or if the school  
20          has made insufficient progress toward achieving its performance objectives under  
21          sub. (4) (c). The department may terminate the contract if it agrees with the  
22          committee's recommendation.

23          \*~~2039/2.13~~\* SECTION 2084. 118.43 (6) (b) 6., 7. and 8. of the statutes are  
24          created to read:

1           118.43 (6) (b) 6. In the 2000–01 school year, divide the amount appropriated  
2       by the sum of the number of low-income pupils enrolled in grades kindergarten to  
3       3 in each school in this state covered by contracts under sub. (3) (a) and (am) and the  
4       number of low-income pupils enrolled in grades kindergarten and one in each school  
5       in this state covered by contracts under sub. (3) (ar) and multiply the quotient by the  
6       number of pupils enrolled in those grades in each school in the school district covered  
7       by contracts under this section.

8           7. In the 2001–02 school year, divide the amount appropriated by the sum of  
9       the number of low-income pupils enrolled in grades kindergarten to 3 in each school  
10      in this state covered by contracts under sub. (3) (am) and the number of low-income  
11      pupils enrolled in grades kindergarten to 2 in each school in this state covered by  
12      contracts under sub. (3) (ar) and multiply the quotient by the number of pupils  
13      enrolled in those grades in each school in the school district covered by contracts  
14      under this section.

15          8. In the 2002–03 to 2004–05 school years, divide the amount appropriated by  
16      the number of low-income pupils enrolled in grades kindergarten to 3 in each school  
17      in this state covered by contracts under sub. (3) (am) and (ar) and multiply the  
18      quotient by the number of pupils enrolled in those grades in each school in the school  
19      district covered by contracts under this section.

20          \*–1381/3.2\* **SECTION 2085.** 119.04 (1) of the statutes is amended to read:

21          119.04 (1) Subchapters IV, V and VII of ch. 115, ch. 121 and ss. 66.03 (3) (c),  
22      115.01 (1) and (2), 115.28, 115.31, 115.33, 115.34, 115.343, 115.345, 115.361, 115.38  
23      (2), 115.45, 118.001 to 118.04, 118.045, 118.06, 118.07, 118.10, 118.12, 118.125 to  
24      118.14, 118.145 (4), 118.15, 118.153, 118.16, 118.162, 118.163, 118.164, 118.18,  
25      118.19, 118.20, 118.24 (1), (2) (c) to (f), (6) and (8), 118.245, 118.255, 118.258, 118.30

1 to 118.43, 118.51, 118.52, 118.55, 120.12 (5) and (15) to (25), 120.125, 120.13 (1), (2)  
2 (b) to (g), (3), (14), (17) to (19), (26), (34) and (35) and 120.14 are applicable to a 1st  
3 class city school district and board.

4 **\*-1356/5.2\* SECTION 2086.** 119.18 (23) of the statutes is renumbered 118.36  
5 and amended to read:

6 **118.36 School closings.** ~~The~~ If a school board ~~may close~~ closes any school that  
7 it determines is low in performance ~~by adopting, it shall adopt~~ a resolution to that  
8 effect. If the ~~superintendent of schools~~ school district administrator recommends to  
9 the school board that a school be closed for low performance, he or she shall state the  
10 reasons for the recommendation in writing. If the school board closes a the school,  
11 the ~~superintendent of schools~~ school district administrator may reassign the school's  
12 staff members without regard to seniority in service and may reassign other  
13 employes of the school board to the school without regard to seniority in service. If  
14 the school board reopens the school, the ~~superintendent of schools~~ school district  
15 administrator may reassign staff members to the school without regard to seniority  
16 in service.

17 **\*-2030/2.5\* SECTION 2087.** 119.23 (5) (intro.) and (c) of the statutes are  
18 consolidated, renumbered 119.23 (5) and amended to read:

19 119.23 (5) The state superintendent shall: ~~(e) Ensure~~ ensure that pupils and  
20 parents and guardians of pupils who reside in the city are informed annually of the  
21 private schools participating in the program under this section.

22 **\*-2030/2.6\* SECTION 2088.** 119.23 (5) (a) of the statutes is repealed.

23 **\*-2030/2.7\* SECTION 2089.** 119.23 (5) (b) of the statutes is repealed.

1           **\*-1356/5.3\* SECTION 2090.** 119.235 of the statutes is renumbered 118.37, and  
2           118.37 (1), (2) (intro.), (b), (d), (e) 2. and (f), and (3) to (5), as renumbered, are amended  
3           to read:

4           118.37 (1) The A school board may contract with any nonsectarian private  
5           school located in the city school district or any nonsectarian private agency located  
6           in the city school district to provide educational programs to pupils enrolled in the  
7           school district ~~operating under this chapter~~. The school board shall ensure that each  
8           private school or agency under contract with the board complies with ss. 118.125 and  
9           118.13, 20 USC 1232g, 20 USC 1681 to 1688, 20 USC 3171 to 3197, 29 USC 794, 42  
10          USC 2000d and 42 USC 6101 to 6107, and all health and safety laws and rules that  
11          apply to public schools.

12          (2) (intro.) Each private school or agency under contract with the school board  
13          shall do all of the following:

14          (b) Participate in the school board's parent information program.

15          (d) Meet insurance and financial requirements established by the school board.

16          (e) 2. A pupil selection process that gives preference to the siblings of enrolled  
17          pupils and that gives no other preferences except those approved by the school board.

18          (f) Report to the school board any information requested by the school board.

19          (3) Any pupil enrolled in the school district ~~operating under this chapter~~ may  
20          attend, at no charge, any private school or agency with which the school board has  
21          contracted under sub. (1) if space is available in the private school or agency.

22          (4) The school board shall establish appropriate, quantifiable performance  
23          standards for pupils at each private school or agency with which it contracts in such  
24          areas as attendance, reading achievement, pupil retention, pupil promotion, parent  
25          surveys, credits earned and grade point average.

1           (5) Annually, the school board shall monitor the performance of the program  
2 under this section. The school board may use the results of standardized basic  
3 educational skills tests to do so. The school board shall include a summary of its  
4 findings in its annual report to the state superintendent ~~under s. 119.44.~~

5           \*~~1193/2.6~~\* SECTION 2091. 119.48 (4) (b) of the statutes is amended to read:

6           119.48 (4) (b) The communication shall state the purposes for which the funds  
7 from the increase in the levy rate will be used and shall request the common council  
8 to submit to the voters of the city the question of exceeding the levy rate specified in  
9 s. 65.07 (1) (f) ~~at the September election or a special election.~~

10          \*~~1193/2.7~~\* SECTION 2092. 119.48 (4) (c) of the statutes is amended to read:

11          119.48 (4) (c) Upon receipt of the communication, the common council shall  
12 cause the question of exceeding the levy rate specified under s. 65.07 (1) (f) to be  
13 submitted to the voters of the city at the ~~September election or at a special election~~  
14 next regularly scheduled spring election or general election that occurs not sooner  
15 than 45 days after receipt of the communication or at a special election held on the  
16 Tuesday after the first Monday in November in an odd-numbered year if that date  
17 occurs not sooner than 45 days after receipt of the communication. The question of  
18 exceeding the levy rate specified under s. 65.07 (1) (f) shall be submitted upon a  
19 separate ballot or in some other manner so that the vote upon exceeding the levy rate  
20 specified in s. 65.07 (1) (f) is taken separately from any other question submitted to  
21 the voters. If a majority of the electors voting on the question favors exceeding the  
22 levy rate specified under s. 65.07 (1) (f), the common council shall approve the  
23 increase in the levy rate and shall levy and collect a tax equal to the amount of money  
24 approved by the electors.

25          \*~~1193/2.8~~\* SECTION 2093. 119.49 (1) (b) of the statutes is amended to read:

1           119.49 (1) (b) The communication shall state the amount of funds needed under  
2   par. (a) and the purposes for which the funds will be used and shall request the  
3   common council to submit to the voters of the city ~~at the next election held in the city~~  
4   the question of issuing school bonds in the amount and for the purposes stated in the  
5   communication.

6           **\*-1193/2.9\* SECTION 2094.** 119.49 (2) of the statutes is amended to read:

7           119.49 (2) Upon receipt of the communication, the common council shall cause  
8   the question of issuing such school bonds in the stated amount and for the stated  
9   school purposes to be submitted to the voters of the city at the next ~~election held in~~  
10   the city regularly scheduled spring election or general election that occurs not sooner  
11   than 45 days after receipt of the communication or at a special election held on the  
12   Tuesday after the first Monday in November in an odd-numbered year if that date  
13   occurs not sooner than 45 days after receipt of the communication. The question of  
14   issuing such school bonds shall be submitted upon a separate ballot or in some other  
15   manner so that the vote upon issuing such school bonds is taken separately from any  
16   other question submitted to the voters. If a majority of the electors voting on the  
17   school bond question favors issuing such school bonds, the common council shall  
18   cause the school bonds to be issued immediately or within the period permitted by  
19   law, in the amount requested by the board and in the manner other bonds are issued.

20           **\*-2024/3.4\* SECTION 2095.** 119.71 (2) of the statutes is amended to read:

21           119.71 (2) From the appropriation under s. 20.255 (2) (ee) (kp), the state  
22   superintendent shall pay to the board the amount specified in the spending plan  
23   under s. 119.80 in each school year.

24           **\*-2024/3.5\* SECTION 2096.** 119.72 (5) of the statutes is amended to read:

1           119.72 (5) From the appropriation under s. 20.255 (2) ~~(ee)~~ (kp), the state  
2           superintendent shall pay to the board the amount specified in the spending plan  
3           under s. 119.80 for the program under this section in each school year.

4           **\*-2024/3.6\* SECTION 2097.** 119.75 (2) (a) of the statutes is amended to read:

5           119.75 (2) (a) From the appropriation under s. 20.255 (2) ~~(ee)~~ (kp), the state  
6           superintendent shall pay to the board the amount specified in the spending plan  
7           under s. 119.80 in each school year.

8           **\*-2024/3.7\* SECTION 2098.** 119.80 (1) of the statutes is amended to read:

9           119.80 (1) The board shall submit to the governor a proposal for the  
10          expenditure of the funds in the ~~appropriation~~ appropriations under s. 20.255 (2) (ec)  
11          and (kp) in each school year.

12          **\*-2024/3.8\* SECTION 2099.** 119.80 (1m) of the statutes is amended to read:

13          119.80 (1m) Annually by June 1, the governor shall submit to the joint  
14          committee on finance and to the appropriate standing committees of the legislature  
15          under s. 13.172 (3) a proposal for the expenditure of the funds in the ~~appropriation~~  
16          appropriations under s. 20.255 (2) (ec) and (kp) in the following school year. By  
17          June 15, each such standing committee may submit written recommendations on  
18          the proposal to the joint committee on finance.

19          **\*-2024/3.9\* SECTION 2100.** 119.80 (4) of the statutes is created to read:

20          119.80 (4) The department may not distribute any funds in the appropriations  
21          under s. 20.255 (2) (ec) or (kp) in any fiscal year until the spending plan for that fiscal  
22          year has been approved.

23          **\*-2024/3.10\* SECTION 2101.** 119.82 (3) of the statutes is amended to read:



1           119.82 (3) From the appropriation under s. 20.255 (2) (~~ee~~) (kp), the state  
2           superintendent shall pay to the board the amount specified in the spending plan  
3           under s. 119.80 in each school year for the programs under sub. (1).

4           **\*-0023/4.5\* SECTION 2102.** 120.13 (26r) of the statutes is amended to read:

5           120.13 (26r) CONTRACTS FOR ~~OUTPATIENT~~ MENTAL HEALTH AND DEVELOPMENTAL  
6           DISABILITIES SERVICES. Contract with the department of health and family services for  
7           outpatient services under s. 51.07 (4) 46.043.

8           **\*-1186/4.40\* SECTION 2103.** 120.13 (27m) of the statutes is amended to read:

9           120.13 (27m) TRANSPORTATION OF INDIGENT PUPILS. Provide transportation to  
10          and from school for indigent pupils who reside in the school district and who are not  
11          required to be transported under s. 121.54. In this subsection, “indigent pupils”  
12          means pupils who are eligible for free lunches or reduced-price lunches under 42  
13          USC 1758 ~~or aid to 18-year-old students under s. 49.20 or for whom aid to families~~  
14          ~~with dependent children is being received under s. 49.19~~ or who are members of a  
15          Wisconsin works group, as defined in s. 49.141 (1) (s), with a member who is  
16          participating in Wisconsin works under s. 49.147 (3) to (5) or any combination  
17          thereof, as determined by the school board. If a school board determines to provide  
18          transportation under this subsection, there shall be reasonable uniformity in the  
19          transportation furnished such pupils whether they attend public or private schools.  
20          The cost of transporting pupils under this subsection may not be included in the  
21          school district’s shared cost under s. 121.07 (6) (a).

22          **\*-1277/5.1\* SECTION 2104.** 121.004 (7) (a) (intro.) of the statutes is amended  
23          to read:

24          121.004 (7) (a) (intro.) “Pupils enrolled” is the total number of pupils, as  
25          expressed by official enrollments, in all schools of the school district, except as

1 provided in pars. (b) to (e) ~~(f)~~. If such total contains a fraction, it shall be expressed  
2 as the nearest whole number. The same method shall be used in computing the  
3 number of pupils enrolled for resident pupils, nonresident pupils or both.

4 **\*-1277/5.2\* SECTION 2105.** 121.004 (7) (f) of the statutes is created to read:

5 121.004 (7) (f) A pupil who transfers from one school district to another under  
6 s. 121.85 (3) (a) shall be counted by the school district in which the pupil resides as  
7 0.5 pupil or, if appropriate, as a number equal to the result obtained by multiplying  
8 0.5 by the appropriate fraction under under par. (c), (cm) or (d).

9 **\*-1351/3.18\* SECTION 2106.** 121.02 (1) (r) of the statutes is amended to read:

10 121.02 (1) (r) Annually Except as provided in s. 118.40 (2r) (d) 2., annually  
11 administer a standardized reading test developed by the department to all pupils  
12 enrolled in the school district in grade 3, including pupils enrolled in charter schools  
13 located in the school district.

14 **\*-1264/1.1\* SECTION 2107.** 121.02 (1) (s) of the statutes is amended to read:

15 121.02 (1) (s) Administer the examinations as required under s. 118.30 ~~(1m)~~  
16 ~~(a), (am) and (b) and, beginning in the 1999-2000 school year, administer the high~~  
17 ~~school graduation examination required under s. 118.30 (1m) (d).~~

18 **\*-2030/2.8\* SECTION 2108.** 121.05 (1) (a) 4. of the statutes is repealed.

19 **\*-2030/2.9\* SECTION 2109.** 121.05 (1) (a) 9. of the statutes is amended to read:

20 121.05 (1) (a) 9. Pupils enrolled in a charter school, other than a charter school  
21 under s. 118.40 (2r).

22 **\*-1356/5.4\* SECTION 2110.** 121.05 (1) (a) 10. of the statutes is amended to read:

23 121.05 (1) (a) 10. Pupils attending a private school or agency under contract  
24 with the board under s. ~~119.235~~ 118.37.

25 **\*-1277/5.3\* SECTION 2111.** 121.05 (1) (a) 11. of the statutes is amended to read:

1           121.05 (1) (a) 11. Pupils residing in the school district but attending a public  
2 school in another school district under s. 118.51 or 121.85 (3) (a).

3           **\*-2030/2.10\* SECTION 2112.** 121.07 (1) (a) of the statutes is amended to read:

4           121.07 (1) (a) The membership of the school district in the previous school year  
5 and the shared cost for the previous school year shall be used in computing general  
6 aid, ~~except that the membership used to compute state aid to the school district~~  
7 ~~operating under ch. 119 shall include those pupils who are attending a private school~~  
8 ~~under s. 119.23 in the current school year and were enrolled in grades kindergarten~~  
9 ~~to 3 in a private school located in the city of Milwaukee other than under s. 119.23~~  
10 ~~in the previous school year.~~ If a school district has a state trust fund loan as a result  
11 of s. 24.61 (3) (c) 2., the school district's debt service costs shall be based upon current  
12 school year costs for the term of the loan and for one additional school year.

13           **\*-1309/4.1\* SECTION 2113.** 121.07 (7) (b) of the statutes is amended to read:

14           121.07 (7) (b) The "secondary guaranteed valuation per member" is an amount,  
15 rounded to the next lower dollar, that, after subtraction of payments under ss.  
16 121.09, ~~121.105,~~ and 121.85 (6) (b) 2. and 3. and (c) ~~and 121.86,~~ fully distributes an  
17 amount equal to the amount remaining in the appropriation under s. 20.255 (2) (ac)  
18 plus \$75,000,000 in the 1997-98 school year and \$100,000,000 in the 1998-99 school  
19 year for payments under ss. 121.08 ~~and, 121.105,~~ 121.85 (6) (a) and (g) and 121.86.

20           **\*-1309/4.2\* SECTION 2114.** 121.105 (2) (a) 1. of the statutes is amended to read:

21           121.105 (2) (a) 1. If a school district would receive less ~~than 85% of the state~~  
22 ~~aid for the current school year~~ in state aid in the current year than an amount equal  
23 to 85% of the state aid that it received as state aid in the previous school year, its state  
24 aid for the current school year shall be increased to an amount equal to 85% of the  
25 state aid received in the previous school year.

**SECTION 2115**

1           **\*-1309/4.3\* SECTION 2115.** 121.105 (2) (a) 3. of the statutes is amended to read:

2           121.105 (2) (a) 3. A school district eligible for aid under subd. 1. and 2. shall  
3           receive the greater of the aid amounts under subd. 1. or 2. The additional aid shall  
4           be paid from the appropriations under s. 20.255 (2) (ac) and (q).

5           **\*-1385/2.1\* SECTION 2116.** 121.15 (3m) (a) 1. of the statutes is amended to  
6           read:

7           121.15 (3m) (a) 1. "Partial school revenues" means the sum of state school aids,  
8           other than the amounts appropriated under s. 20.255 (2) (bi) and (cv), ~~and~~ property  
9           taxes levied for school districts and aid paid to school districts under s. 79.095 (4),  
10          less the amount of any revenue limit increase under s. 121.91 (4) (a) 2. due to a school  
11          board's increasing the services that it provides by adding responsibility for providing  
12          a service transferred to it from another school board and less the amount of any  
13          revenue limit increase under s. 121.91 (4) (a) 3.

14          **\*-0250/4.10\* SECTION 2117.** 121.15 (3m) (a) 2. of the statutes is amended to  
15          read:

16          121.15 (3m) (a) 2. "State school aids" means those aids appropriated under s.  
17          20.255 (2), other than s. 20.255 (2) (fm), (fu), (k) and (m), and under ss. 20.275 (1) (d),  
18          (es), (et), (f), ~~(fs)~~ and (u) and 20.285 (1) (ee), (r) and (rc) and those aids appropriated  
19          under s. 20.275 (1) (s) that are used to provide grants or educational  
20          telecommunications access to school districts under s. ~~196.218 (4r)~~ 44.73.

          \*\*\*\*NOTE: This is reconciled s. 121.15 (3m) (a) 2. This SECTION has been affected by  
          drafts with the following LRB numbers: LRB-0248/2 and LRB-0250/3.

21          **\*-1385/2.2\* SECTION 2118.** 121.15 (4) of the statutes is renumbered 121.15 (4)  
22          (b) and amended to read:

1           121.15 (4) (b) On July 1 and October 15, using the most accurate data available,  
2           the state superintendent shall provide the department of revenue and each school  
3           district with an estimate of the total amount of state aid, ~~as defined in s. 121.90 (2),~~  
4           the school district will receive in the current school year. On October 15, using the  
5           most accurate data available, the state superintendent shall calculate the total  
6           amount of state aid, ~~as defined in s. 121.90 (2),~~ that each school district will receive  
7           in the current school year. Any adjustments to that calculation shall be made by  
8           increasing or decreasing the payment made in September of the following school  
9           year.

10           **\*-1385/2.3\* SECTION 2119.** 121.15 (4) (a) of the statutes is created to read:

11           121.15 (4) (a) In this subsection, “state aid” has the meaning given in s. 121.90  
12           (2) except that it excludes aid paid to school districts under s. 79.095 (4).

13           **\*-1277/5.4\* SECTION 2120.** 121.85 (6) (a) 2. of the statutes is amended to read:

14           121.85 (6) (a) 2. Multiply the number of transfer pupils, as counted for  
15           membership purposes under s. 121.004 (7), by 0.25.

16           **\*-1277/5.5\* SECTION 2121.** 121.85 (6) (b) 1. of the statutes is repealed.

17           **\*-1277/5.6\* SECTION 2122.** 121.85 (6) (f) of the statutes is repealed.

18           **\*-1992/1.1\* SECTION 2123.** 121.85 (6) (h) of the statutes is created to read:

19           121.85 (6) (h) *Neighborhood schools.* The school district operating under ch.  
20           119 shall use at least 10% of the amount received under par. (a) in each school year  
21           to build or lease neighborhood schools.

22           **\*-1277/5.7\* SECTION 2124.** 121.90 (1) (e) of the statutes is created to read:

23           121.90 (1) (e) In determining a school district’s revenue limit for the 1999–2000  
24           school year or for any school year thereafter, the department shall calculate the  
25           number of pupils enrolled in each school year prior to the 1999–2000 school year as

1 the number was calculated in that school year under s. 121.85 (6) (b) 1. and (f), 1997  
2 stats.

3 **\*-1309/4.4\* SECTION 2125.** 121.90 (2) (intro.) of the statutes is amended to  
4 read:

5 121.90 (2) (intro.) "State aid" means aid under ss. 121.08, 121.09 and 121.105  
6 and subch. VI, as calculated for the current school year on October 15 under s. 121.15  
7 (4) and including adjustments made under s. 121.15 (4), except that "state aid"  
8 excludes all of the following:

9 **\*-1309/4.5\* SECTION 2126.** 121.905 (3) (a) 1. of the statutes is amended to read:

10 121.905 (3) (a) 1. Except as provided under subd. 2., calculate the sum of the  
11 amount of state aid received under ss. 121.08 and 121.105 and subch. VI in the  
12 previous school year and property taxes levied for the previous school year, excluding  
13 funds described under s. 121.91 (4) (c), and the costs of the county children with  
14 disabilities education board program, as defined in s. 121.135 (2) (a) 2., for pupils who  
15 were school district residents and solely enrolled in a special education program  
16 provided by a county children with disabilities education board in the previous school  
17 year.

18 **\*-2030/2.11\* SECTION 2127.** 121.905 (3) (c) of the statutes is repealed and  
19 recreated to read:

20 121.905 (3) (c) For the limit for the 1999-2000 school year or for any school year  
21 thereafter, add \$208.88 to the result under par. (b).

22 **\*-1309/4.6\* SECTION 2128.** 121.905 (4) of the statutes is renumbered 121.905  
23 (4) (a) and amended to read:

1           121.905 (4) (a) A school district that is exempt from the revenue limits under  
2           sub. (2) may not increase its base revenue per member to an amount that is greater  
3           than its revenue ceiling ~~unless that~~.

4           **(b) 1. A school district follows may increase its revenue ceiling by following the**  
5           procedures prescribed in s. 121.91 (3).

6           **\*-1309/4.7\* SECTION 2129.** 121.905 (4) (b) 2. of the statutes is created to read:  
7           121.905 (4) (b) 2. The department shall, under s. 121.91 (4), adjust the revenue  
8           ceiling otherwise applicable to a school district under this section as if the revenue  
9           ceiling constituted a revenue limit under s. 121.91 (2m).

10          **\*-2030/2.12\* SECTION 2130.** 121.91 (2m) (d) (intro.) of the statutes is amended  
11          to read:

12          121.91 (2m) (d) (intro.) Except as provided in subs. (3) and (4), no school district  
13          may increase its revenues for the 1998-99 school year ~~or for any school year~~  
14          ~~thereafter~~ to an amount that exceeds the amount calculated as follows:

15          **\*-2030/2.13\* SECTION 2131.** 121.91 (2m) (e) of the statutes is renumbered  
16          121.91 (2m) (r), and 121.91 (2m) (r) 1. (intro.) and b. and 2., as renumbered, are  
17          amended to read:

18          121.91 (2m) (r) 1. (intro.) Notwithstanding pars. (c) ~~and~~, (d) and (e), if a school  
19          district is created under s. 117.105, its revenue limit under this section for the school  
20          year beginning with the effective date of the reorganization shall be determined as  
21          follows except as provided under subs. (3) and (4):

22               b. Add ~~\$206~~ \$208.88 to the result under subd. 1. a.

23               2. If a school district is created under s. 117.105, the following adjustments to  
24          the calculations under pars. (c) ~~and~~, (d) and (e) apply for the 2 school years beginning  
25          on the July 1 following the effective date of the reorganization:

1           a. For the school year beginning on the first July 1 following the effective date  
2 of the reorganization the number of pupils in the previous school year shall be used  
3 under pars. (c) 1. ~~and~~, (d) 1. and (e) 1. instead of the average of the number of pupils  
4 in the 3 previous school years, and for the school year beginning on the 2nd July 1  
5 following the effective date of the reorganization the average of the number of pupils  
6 in the 2 previous school years shall be used under pars. (c) 1. ~~and~~, (d) 1. and (e) 1.  
7 instead of the average of the number of pupils in the 3 previous school years.

8           b. For the school year beginning on the first July 1 following the effective date  
9 of the reorganization the average of the number of pupils in the current and the  
10 previous school years shall be used under pars. (c) 4. ~~and~~, (d) 4. and (e) 3. instead of  
11 the average of the number of pupils in the current and the 2 preceding school years.

12           **\*-2030/2.14\* SECTION 2132.** 121.91 (2m) (e) of the statutes is created to read:  
13           121.91 (2m) (e) Except as provided in subs. (3) and (4), no school district may  
14 increase its revenues for the 1999–2000 school year or for any school year thereafter  
15 to an amount that exceeds the amount calculated as follows:

16           1. Divide the sum of the amount of state aid received in the previous school year  
17 and property taxes levied for the previous school year, excluding funds described  
18 under sub. (4) (c), by the average of the number of pupils enrolled in the 3 previous  
19 school years.

20           2. Add \$208.88 to the result under subd. 1.

21           3. Multiply the result under subd. 2. by the average of the number of pupils  
22 enrolled in the current and the 2 preceding school years.

23           **\*-1193/2.10\* SECTION 2133.** 121.91 (3) (a) of the statutes is amended to read:  
24           121.91 (3) (a) If a school board wishes to exceed the limit under sub. (2m)  
25 otherwise applicable to the school district in any school year, it shall promptly adopt



1 a resolution supporting inclusion in the final school district budget of an amount  
2 equal to the proposed excess revenue. The resolution shall specify whether the  
3 proposed excess revenue is for a recurring or nonrecurring purpose, or, if the  
4 proposed excess revenue is for both recurring and nonrecurring purposes, the  
5 amount of the proposed excess revenue for each purpose. Within 10 days after  
6 adopting the resolution, the school board shall notify the department of the  
7 scheduled date of the referendum and submit a copy of the resolution to the  
8 department. The school board shall call a ~~special~~ referendum for the purpose of  
9 submitting the resolution to the electors of the school district for approval or  
10 rejection. ~~In lieu of a special referendum, the school board may specify that the~~  
11 ~~referendum be held at the next succeeding spring primary or election or September~~  
12 ~~primary or general election, if such election is to be held not earlier than 35 45 days~~  
13 ~~after the adoption of the resolution of the school board, or at a special election held~~  
14 ~~on the Tuesday after the first Monday in November in an odd-numbered year if that~~  
15 ~~date occurs not earlier than 45 days after the adoption of the resolution of the school~~  
16 ~~board.~~ The school district clerk shall certify the results of the referendum to the  
17 department within 10 days after the referendum is held.

18 \*~~1309/4.8~~\* SECTION 2134. 121.91 (3) (d) of the statutes is renumbered 121.91  
19 (7) and amended to read:

20 121.91 (7) If Except as provided in sub. (4) (f) 2., if an excess revenue is  
21 approved under ~~this subsection sub. (3)~~ sub. (3) for a recurring purpose or allowed under sub.  
22 (4), the excess revenue shall be included in the base for determining the limit for the  
23 next school year for purposes of this section. If an excess revenue is approved under  
24 ~~this subsection sub. (3)~~ sub. (3) for a nonrecurring purpose, the excess revenue shall not be

1 included in the base for determining the limit for the next school year for purposes  
2 of this section.

3 **\*-2030/2.15\* SECTION 2135.** 121.91 (4) (f) of the statutes is amended to read:

4 121.91 (4) (f) 1. For the 1998-99 school year or any school year thereafter, if the  
5 average of the number of pupils enrolled in the current and the 2 preceding school  
6 years, as calculated under sub. (2m) ~~(d)~~ 4. (e) 3., is less than the average of the  
7 number of pupils enrolled in the 3 previous school years, as calculated under sub.  
8 (2m) ~~(d)~~ (e) 1., the limit otherwise applicable under sub. (2m) ~~(d)~~ (e) is increased by  
9 the additional amount that would have been calculated had the decline in average  
10 enrollment been 25% of what it was.

11 2. Any additional revenue received by a school district as a result of subd. 1.  
12 shall not be included in the base for determining the school district's limit under sub.  
13 (2m) ~~(d)~~ (e) for the following school year.

14 **\*-1309/4.9\* SECTION 2136.** 121.92 (title) of the statutes is amended to read:

15 **121.92 (title) Penalty for exceeding revenue ceiling or limit.**

16 **\*-1309/4.10\* SECTION 2137.** 121.92 (1) of the statutes is amended to read:

17 121.92 (1) In this section, "excess revenue" means the amount by which a school  
18 district's revenue exceeds ~~the maximum allowed~~ its ceiling under s. 121.905 or its  
19 limit under s. 121.91.

20 **\*-1309/4.11\* SECTION 2138.** 121.92 (2) (a) of the statutes is amended to read:

21 121.92 (2) (a) Deduct from the state aid payment to a school district under s.  
22 121.08 in the school year in which the school district exceeded the revenue ceiling or  
23 limit an amount equal to the excess revenue for the school district or the amount of  
24 those aids, whichever is less.

25 **\*-1309/4.12\* SECTION 2139.** 121.92 (2) (b) of the statutes is amended to read:

1           121.92 (2) (b) If the amount of the deduction under par. (a) is insufficient to  
2 cover the excess revenue, deduct from the other state aid payments to the school  
3 district in the school year in which the school district exceeded the revenue ceiling  
4 or limit an amount equal to the remaining excess revenue or the amount of those  
5 payments, whichever is less.

6           **\*-1309/4.13\* SECTION 2140.** 121.92 (2) (e) of the statutes is amended to read:

7           121.92 (2) (e) Ensure that the amount of the excess revenue is not included in  
8 determining the school district's ~~limits~~ ceiling or limit in the succeeding school year.

9           **\*-1516/4.16\* SECTION 2141.** 125.04 (5)(a) 5. of the statutes is amended to read:

10           125.04 (5) (a) 5. Have successfully completed within the 2 years prior to the  
11 date of application a responsible beverage server training course at any location that  
12 is offered by a technical college district and that conforms to curriculum guidelines  
13 specified by the technical college system board or a comparable training course that  
14 is approved by the department or the ~~educational approval~~ higher educational aids  
15 board. This subdivision does not apply to an applicant who held, or who was an agent  
16 appointed and approved under sub. (6) of a corporation or limited liability company  
17 that held, within the past 2 years, a Class "A", "Class A" or "Class C" license or a  
18 Class "B" or "Class B" license or permit or a manager's or operator's license.

19           **\*-1516/4.17\* SECTION 2142.** 125.17 (6) (a) (intro.) of the statutes is amended  
20 to read:

21           125.17 (6) (a) (intro.) Except as provided in par. (b), no municipal governing  
22 body may issue an operator's license unless the applicant has successfully completed  
23 a responsible beverage server training course at any location that is offered by a  
24 technical college district and that conforms to curriculum guidelines specified by the  
25 technical college system board or a comparable training course that is approved by

1 the department or the ~~educational approval~~ higher educational aids board, or unless  
2 the applicant fulfills one of the following requirements:

3 **\*-1836/2.6\* SECTION 2143.** 138.052 (5) (am) 2. a. of the statutes is amended to  
4 read:

5 138.052 (5) (am) 2. a. On January 1, 1994, and annually thereafter, the division  
6 of banking for banks, the division of savings ~~and loan~~ institutions for savings and  
7 loan associations and savings banks and the office of credit unions for credit unions  
8 shall determine the interest rate that is the average of the interest rates paid,  
9 rounded to the nearest one-hundredth of a percent, on regular passbook deposit  
10 accounts by institutions under the division's or office's jurisdiction at the close of the  
11 last quarterly reporting period that ended at least 30 days before the determination  
12 is made.

13 **\*-1836/2.7\* SECTION 2144.** 138.052 (5) (am) 2. b. of the statutes is amended to  
14 read:

15 138.052 (5) (am) 2. b. The office of credit unions and the division of banking  
16 shall report the rate calculated to the division of savings ~~and loan~~ institutions within  
17 5 days after the date on which the determination is made. The division of savings  
18 ~~and loan~~ institutions shall calculate the average, rounded to the nearest  
19 one-hundredth of a percent, of the 3 rates and report that interest rate to the revisor  
20 of statutes within 5 days after the date on which the determination is made.

21 **\*-1836/2.8\* SECTION 2145.** 138.055 (4) (a) of the statutes is amended to read:

22 138.055 (4) (a) The division of savings ~~and loan~~ institutions, if the lender is a  
23 savings and loan association or savings bank;

24 **\*-1836/2.9\* SECTION 2146.** 138.056 (1) (a) 4. a. of the statutes is amended to  
25 read:

1           138.056 (1) (a) 4. a. The division of savings and loan institutions, if the lender  
2           is a savings and loan association or savings bank;

3           **\*-1836/2.10\* SECTION 2147.** 138.12 (5) (a) of the statutes is amended to read:

4           138.12 (5) (a) The ~~commissioner~~ division may revoke or suspend the license of  
5           any insurance premium finance company if the ~~commissioner~~ division finds ~~that any~~  
6           of the following:

7           1. Any license issued to such company was obtained by fraud~~;~~.

8           2. There was any misrepresentation in the application for the license~~;~~.

9           3. The holder of such license has otherwise shown himself or herself  
10          untrustworthy or incompetent to act as a premium finance company~~;~~.

11          4. ~~Such~~ The company has violated any provision of this section~~;~~~~or~~.

12          5. ~~Such~~ The company has been rebating part of the service charge as allowed  
13          and permitted herein to any insurance agent or insurance broker or any employe of  
14          an insurance agent or insurance broker or to any other person as an inducement to  
15          the financing of any insurance policy with the premium finance company.

16          **\*-0619/1.2\* SECTION 2148.** 139.30 (5) of the statutes is amended to read:

17          139.30 (5) "Indian tribe" means a federally recognized American Indian tribe  
18          or band in this state.

19          **\*-0619/1.3\* SECTION 2149.** 139.323 (intro.) of the statutes is amended to read:

20          **139.323 Refunds to Indian tribes.** (intro.) The department shall refund ~~70%~~  
21          50% of the taxes collected under s. 139.31 (1) in respect to sales on reservations or  
22          trust lands of an Indian tribe to the tribal council of the tribe having jurisdiction over  
23          the reservation or trust land on which the sale is made if all of the following  
24          conditions are fulfilled:

25          **\*-0619/1.4\* SECTION 2150.** 139.75 (4d) of the statutes is created to read:

1 139.75 (4d) "Enrolled member" has the meaning given in s. 139.30 (4).

2 ~~\*-0619/1.5\*~~ SECTION 2151. 139.75 (4p) of the statutes is created to read:

3 139.75 (4p) "Indian tribe" has the meaning given in s. 139.30 (5).

4 ~~\*-0619/1.6\*~~ SECTION 2152. 139.75 (6m) of the statutes is created to read:

5 139.75 (6m) "Reservation" has the meaning given in s. 139.30 (9).

6 ~~\*-0619/1.7\*~~ SECTION 2153. 139.76 (1) of the statutes is amended to read:

7 139.76 (1) An ~~occupational~~ excise tax is imposed upon the sale, offering or  
8 exposing for sale, possession with intent to sell or removal for consumption or sale  
9 or other disposition for any purpose of tobacco products by any person engaged as a  
10 distributor of them at the rate of 20% of the manufacturer's established list price to  
11 distributors without diminution by volume or other discounts on domestic products.  
12 On products imported from another country the rate of tax is 20% of the amount  
13 obtained by adding the manufacturer's list price to the federal tax, duties and  
14 transportation costs to the United States. The tax attaches at the time the tobacco  
15 products are received by the distributor in this state. The tax shall be passed on to  
16 the ultimate consumer of the tobacco products. All tobacco products received in this  
17 state for sale or distribution within this state, except tobacco products actually sold  
18 as provided in sub. (2), shall be subject to such tax.

19 ~~\*-0619/1.8\*~~ SECTION 2154. 139.76 (2) of the statutes is amended to read:

20 139.76 (2) Tobacco products sold to or by post exchanges of the U.S. armed  
21 forces, to or by federally or state-operated veterans hospitals in this state, and  
22 tobacco products sold to an interstate carrier of passengers for hire to be resold to  
23 bona fide passengers actually being transported and tobacco products sold for  
24 shipment outside this state in interstate commerce are not subject to the tax. ~~The~~  
25 ~~tax imposed by sub. (1) and s. 139.78 shall not apply with respect to any tobacco~~

1 ~~products which under the constitution and laws of the United States may not be~~  
2 ~~taxed by this state.~~

3 **\*-0619/1.9\* SECTION 2155.** 139.803 of the statutes is created to read:

4 **139.803 Refunds to Indian tribes.** The department shall refund 50% of the  
5 taxes collected under s. 139.76 (1) in respect to sales on reservations or trust lands  
6 of an Indian tribe to the tribal council of the tribe having jurisdiction over the  
7 reservation or trust land on which the sale is made if all of the following conditions  
8 are fulfilled:

9 (1) The tribal council has filed a claim for the refund with the department.

10 (2) The tribal council has approved the retailer.

11 (3) The land on which the sale occurred was designated a reservation or trust  
12 land on or before January 1, 1983.

13 (4) The tobacco products were not delivered by the retailer to the buyer by  
14 means of a common carrier, a contract carrier or the U.S. postal service.

15 (5) The retailer has not sold the tobacco products to another retailer or to a  
16 subjobber.

17 **\*-0619/1.10\* SECTION 2156.** 139.805 of the statutes is created to read:

18 **139.805 Agreements with Indian tribes.** The department may enter into  
19 agreements with Indian tribes to provide for the refunding of the tobacco products  
20 tax imposed under s. 139.76 (1) on tobacco products sold on reservations to enrolled  
21 members of the tribe residing on the tribal reservation.

22 **\*-0619/1.11\* SECTION 2157.** 139.82 (7) of the statutes is created to read:

23 139.82 (7) The department may inspect the business records of any retailer  
24 doing business on a reservation or on an Indian tribe's trust land.

25 **\*-0619/1.12\* SECTION 2158.** 139.82 (8) of the statutes is created to read:

1           139.82 (8) Each distributor shall collect and remit the excise tax imposed by  
2           s. 139.76 (1) on tobacco products not exempt from the tobacco products tax under s.  
3           139.76 (2), with the reports required to be filed under this section.

4           **\*-0619/1.13\* SECTION 2159.** 139.85 (1) of the statutes is amended to read:

5           139.85 (1) The interest and penalties under s. 139.44 (2) to (7) and (9) to (12)  
6           apply to this subchapter. In addition, a person who violates s. 139.82 (8) shall be fined  
7           not less than \$1,000 nor more than \$5,000 or imprisoned for not less than 90 days  
8           nor more than one year or both.

9           **\*-0935/2.14\* SECTION 2160.** 145.01 (4m) of the statutes is amended to read:

10          145.01 (4m) FAILING PRIVATE SMALL SEWAGE SYSTEM. “Failing private small  
11          sewage system” has the meaning specified under s. 145.245 (4).

12          **\*-0935/2.15\* SECTION 2161.** 145.01 (5) of the statutes is amended to read:

13          145.01 (5) GOVERNMENTAL UNIT RESPONSIBLE FOR REGULATION OF PRIVATE SMALL  
14          SEWAGE SYSTEMS. “Governmental unit responsible for the regulation of private small  
15          sewage systems” or “governmental unit”, unless otherwise qualified, means the  
16          county except that in a county with a population of 500,000 or more these terms mean  
17          the city, village or town where the private small sewage system is located.

18          **\*-0935/2.16\* SECTION 2162.** 145.01 (10) (b) of the statutes is amended to read:

19          145.01 (10) (b) The construction, connection or installation of any drain or  
20          waste piping system from the outside or proposed outside foundation walls of any  
21          building to the mains or other sewage system terminal within bounds of, or beneath  
22          an area subject to easement for highway purposes, including private small sewage  
23          systems, and the alteration of any such systems, drains or waste piping.

24          **\*-0935/2.17\* SECTION 2163.** 145.01 (12) of the statutes is repealed.

25          **\*-0935/2.18\* SECTION 2164.** 145.01 (14m) of the statutes is created to read:



1           145.01 **(14m)** SMALL SEWAGE SYSTEM. “Small sewage system” means one of the  
2 following:

3           (a) Any holding tank that is connected to a building, drain or waste piping  
4 system.

5           (b) Any wastewater treatment and disposal system with a final point of  
6 discharge that is below the surface of the ground and with an estimated design flow  
7 that does not exceed the maximum design flow specified under s. 145.02 (4) (c).

8           **\*-0935/2.19\* SECTION 2165.** 145.02 (4) (c) of the statutes is created to read:

9           145.02 (4) (c) The department, in cooperation with the department of natural  
10 resources, shall promulgate rules specifying the maximum design flow for small  
11 sewage systems with a final point of discharge that is below the surface of the ground.

12           **\*-0524/1.1\* SECTION 2166.** 145.04 (3) of the statutes is repealed.

13           **\*-0515/4.2\* SECTION 2167.** 145.045 (3) of the statutes is repealed.

      \*\*\*\*NOTE: This is reconciled s. 145.045 (3). This SECTION has been affected by  
LRB-0515 and LRB-0935.

14           **\*-0523/4.1\* SECTION 2168.** 145.10 of the statutes is repealed and recreated to  
15 read:

16           **145.10 Denials, suspensions and revocations.** The department shall  
17 promulgate rules for the denial, suspension and revocation of master or journeyman  
18 plumber licenses, cross-connection control tester registrations and utility contractor  
19 licenses or temporary permits.

20           **\*-0515/4.3\* SECTION 2169.** 145.135 of the statutes is repealed.

      \*\*\*\*NOTE: This is reconciled s. 145.135. This SECTION has been affected by  
LRB-0515 and LRB-0935.

21           **\*-0515/4.4\* SECTION 2170.** 145.19 of the statutes is repealed and recreated to  
22 read:

1           **145.19 Sanitary permits. (1) DEFINITIONS.** In this section, “sanitary permit”  
2 means a permit issued by the department or any governmental unit responsible for  
3 the regulation of private sewage systems that authorizes the installation of a private  
4 sewage system.

5           **(2) VALIDITY.** (a) No person may install a private sewage system unless the  
6 owner of the property on which the private sewage system is to be installed holds a  
7 valid sanitary permit. A sanitary permit is valid for 2 years from the date of issue,  
8 notwithstanding any change in the state plumbing code or in any private sewage  
9 system ordinance during that period, and is renewable for 2-year periods. A renewal  
10 of a sanitary permit is governed by the rules in effect at the time the renewal is  
11 sought.

12           (b) A holder of a sanitary permit may transfer the sanitary permit to a  
13 subsequent owner of the land, except that the subsequent owner shall obtain a new  
14 copy of the sanitary permit from the issuing agent.

15           **(3) NOTICE.** A sanitary permit shall include a notice displayed conspicuously  
16 and separately on the permit form to inform the permit holder that:

17           (a) The purpose of the sanitary permit is to allow installation of the private  
18 sewage system described in the permit.

19           (b) The approval of the sanitary permit is based on rules in force on the date  
20 of approval.

21           (c) The sanitary permit is valid and may be renewed for a 2-year period.

22           (d) Changed rules will not impair the validity of a sanitary permit, but they may  
23 impede renewal.

24           (e) The sanitary permit is transferable.

1           (4) INFORMATION ON SANITARY PERMITS; FORMS. (a) The department shall  
2       prescribe the information to be included on the sanitary permit and shall furnish  
3       sanitary permit forms to the governmental unit responsible for the regulation of  
4       private sewage systems.

5           (b) The applicant for a sanitary permit shall submit a completed sanitary  
6       permit application to the governmental unit responsible for the regulation of private  
7       sewage systems or the department. The governmental unit responsible for the  
8       regulation of private sewage systems or the department, whichever is appropriate,  
9       shall approve or disapprove the sanitary permit application according to the rules  
10      promulgated by the department under ss. 145.02 and 145.13.

11          (5) FEE. No fee for a sanitary permit may be less than \$61, or the amount  
12      determined under department rule. The governing body for the governmental unit  
13      responsible for the regulation of private sewage systems may establish a fee for a  
14      sanitary permit which is more than \$61, or the amount determined under  
15      department rule.

16          (6) COPY OF PERMIT FORWARDED TO THE DEPARTMENT. The governmental unit  
17      responsible for the regulation of private sewage systems shall forward a copy of each  
18      valid sanitary permit and \$20, or the amount determined under department rule, of  
19      the fee to the department within 90 days after the permit is issued.

20          (7) USE OF FEE. The governmental unit responsible for the regulation of private  
21      sewage systems shall use the portion of the fee it retains for the administration of  
22      private sewage system programs.

23          (8) FEE ADJUSTMENT. The department may by rule adjust the minimum permit  
24      fee under sub. (5) and the fee portion forwarded under sub. (6).

1           **(9) GROUNDWATER FEE.** In addition to the fee under sub. (5), the governmental  
2 unit responsible for the regulation of private sewage systems or the department shall  
3 collect a groundwater fee of \$25 for each sanitary permit. The governmental unit  
4 shall forward this fee to the department together with the copy of the sanitary permit  
5 and the fee under sub. (6). The moneys collected under this subsection shall be  
6 credited to the environmental fund for environmental management.

7           **\*-0935/2.20\* SECTION 2171.** 145.19 (1), (2) (a), (3) (a), (4) to (7) and (9) of the  
8 statutes, as affected by 1999 Wisconsin Act .... (this act), are amended to read:

9           **145.19 (1) DEFINITIONS.** In this section, “sanitary permit” means a permit  
10 issued by the department or any governmental unit responsible for the regulation  
11 of ~~private~~ small sewage systems that authorizes the installation of a ~~private~~ small  
12 sewage system.

13           **(2) (a)** No person may install a ~~private~~ small sewage system unless the owner  
14 of the property on which the ~~private~~ small sewage system is to be installed holds a  
15 valid sanitary permit. A sanitary permit is valid for 2 years from the date of issue,  
16 notwithstanding any change in the state plumbing code or in any ~~private~~ small  
17 sewage system ordinance during that period, and is renewable for 2-year periods.  
18 A renewal of a sanitary permit is governed by the rules in effect at the time the  
19 renewal is sought.

20           **(3) (a)** The purpose of the sanitary permit is to allow installation of the ~~private~~  
21 small sewage system described in the permit.

22           **(4) INFORMATION ON SANITARY PERMITS; FORMS.** (a) The department shall  
23 prescribe the information to be included on the sanitary permit and shall furnish  
24 sanitary permit forms to the governmental unit responsible for the regulation of  
25 ~~private~~ small sewage systems.

1 (b) The applicant for a sanitary permit shall submit a completed sanitary  
2 permit application to the governmental unit responsible for the regulation of private  
3 small sewage systems or the department. The governmental unit responsible for the  
4 regulation of private small sewage systems or the department, whichever is  
5 appropriate, shall approve or disapprove the sanitary permit application according  
6 to the rules promulgated by the department under ss. 145.02 and 145.13.

7 (5) FEE. No fee for a sanitary permit may be less than \$61, or the amount  
8 determined under department rule. The governing body for the governmental unit  
9 responsible for the regulation of private small sewage systems may establish a fee  
10 for a sanitary permit which is more than \$61, or the amount determined under  
11 department rule.

12 (6) COPY OF PERMIT FORWARDED TO THE DEPARTMENT. The governmental unit  
13 responsible for the regulation of private small sewage systems shall forward a copy  
14 of each valid sanitary permit and \$20, or the amount determined under department  
15 rule, of the fee to the department within 90 days after the permit is issued.

16 (7) USE OF FEE. The governmental unit responsible for the regulation of private  
17 small sewage systems shall use the portion of the fee it retains for the administration  
18 of private small sewage system programs.

19 (9) GROUNDWATER FEE. In addition to the fee under sub. (5), the governmental  
20 unit responsible for the regulation of private small sewage systems or the  
21 department shall collect a groundwater fee of \$25 for each sanitary permit. The  
22 governmental unit shall forward this fee to the department together with the copy  
23 of the sanitary permit and the fee under sub. (6). The moneys collected under this  
24 subsection shall be credited to the environmental fund for environmental  
25 management.

## SECTION 2171

\*\*\*\*NOTE: This is reconciled s. 145.19 (1), (2) (a), (3) (a), (4) to (7) and (9). This SECTION has been affected by drafts with the following LRB numbers: -0515 and -0935.

1        **\*-0935/2.21\* SECTION 2172.** 145.20 (title) of the statutes is amended to read:

2        **145.20 (title) Private Small sewage systems.**

3        **\*-0935/2.22\* SECTION 2173.** 145.20 (1) of the statutes is amended to read:

4        145.20 (1) ORGANIZATION AND PERSONNEL. (a) The governing body of the  
5        governmental unit responsible for the regulation of ~~private~~ small sewage systems  
6        may assign the duties of administering the ~~private~~ small sewage system program to  
7        any office, department, committee, board, commission, position or employee of that  
8        governmental unit.

9        (am) The governing body of the governmental unit responsible for the  
10       regulation of ~~private~~ small sewage systems may delegate the duties of administering  
11       the ~~private~~ small sewage system program to a town sanitary district or public inland  
12       lake protection and rehabilitation district with the powers of a town sanitary district  
13       within the town sanitary district or public inland lake protection and rehabilitation  
14       district if the town sanitary district or public inland lake protection and  
15       rehabilitation district agrees to assume those duties.

16       (b) The governmental unit responsible for the regulation of ~~private~~ small  
17       sewage systems shall obtain the services of a certified soil tester, either as an employee  
18       or under contract, to review and verify certified soil tester reports under sub. (2).

19       **\*-0515/4.5\* SECTION 2174.** 145.20 (1) (ar) of the statutes is created to read:

20       145.20 (1) (ar) The governmental unit responsible for the regulation of private  
21       sewage systems may, with the department's consent, delegate the administration of  
22       any of the responsibilities under sub. (2) to the department. If the department

1 consents to the delegation, it may contract for the administration of the delegated  
2 responsibilities.

3 **\*-0515/4.6\* SECTION 2175.** 145.20 (2) (intro.) of the statutes is amended to  
4 read:

5 145.20 (2) GOVERNMENTAL UNIT RESPONSIBILITIES. (intro.) ~~The~~ Except as  
6 provided under sub. (1) (am) and (ar), the governmental unit responsible for the  
7 regulation of private sewage systems shall:

8 **\*-0935/2.23\* SECTION 2176.** 145.20 (2) (intro.) of the statutes, as affected by  
9 1999 Wisconsin Act .... (this act), is amended to read:

10 145.20 (2) GOVERNMENTAL UNIT RESPONSIBILITIES. (intro.) Except as provided  
11 under sub. (1) (am) and (ar), the governmental unit responsible for the regulation of  
12 ~~private~~ small sewage systems shall:

\*\*\*NOTE: This is reconciled s. 145.20 (2) (intro.). This SECTION has been affected  
by drafts with the following LRB numbers: -0515 and -0935.

13 **\*-0935/2.24\* SECTION 2177.** 145.20 (2) (a) of the statutes is amended to read:

14 145.20 (2) (a) Review certified soil tester reports for proposed ~~private~~ small  
15 sewage systems and verify the report at the proposed site, if necessary.

16 **\*-0515/4.7\* SECTION 2178.** 145.20 (2) (am) of the statutes is created to read:

17 145.20 (2) (am) Retain the results of any percolation test or other test relating  
18 to the disposal of liquid domestic wastes into the soil, make the test results available  
19 to an applicant for a sanitary permit and accept the test results as the basis for a  
20 sanitary permit application, unless the soil at the test site is altered to the extent that  
21 a new soil test is necessary.

22 **\*-0515/4.8\* SECTION 2179.** 145.20 (2) (b) of the statutes is amended to read:

1           145.20 (2) (b) ~~Approve or disapprove applications for sanitary permits and~~  
2 ~~assist~~ Assist applicants in preparing an approvable ~~application~~ sanitary permit  
3 applications.

4           **\*-0935/2.25\* SECTION 2180.** 145.20 (2) (d) to (h) of the statutes are amended  
5 to read:

6           145.20 (2) (d) Inspect all ~~private~~ small sewage systems after construction but  
7 before backfilling no later than the end of the next workday, excluding Saturdays,  
8 Sundays and holidays, after receiving notice from the plumber in charge.

9           (e) File reports and conduct surveys and inspections as required by the  
10 governmental unit responsible for the regulation of ~~private~~ small sewage systems or  
11 the department.

12           (f) Investigate violations of the ~~private~~ small sewage system ordinance and s.  
13 254.59 (2), issue orders to abate the violations and submit orders to the district  
14 attorney, corporation counsel or attorney general for enforcement.

15           (g) Perform other duties regarding ~~private~~ small sewage systems as considered  
16 appropriate by the governmental unit responsible for the regulation of ~~private~~ small  
17 sewage systems or as required by the rules of the department.

18           (h) Inspect existing ~~private~~ small sewage systems to determine compliance  
19 with s. 66.036 if a building or structure is being constructed which requires  
20 connection to an existing ~~private~~ small sewage system. The county is not required  
21 to conduct an on-site inspection if a building or structure is being constructed which  
22 does not require connection to an existing ~~private~~ small sewage system.

23           **\*-0935/2.26\* SECTION 2181.** 145.20 (3) (a) and (b) of the statutes are amended  
24 to read:



1           145.20 (3) (a) 1. The department may specify categories of ~~private~~ small sewage  
2       systems for which approval by the department is required prior to issuance of  
3       sanitary permits by the governmental unit responsible for the regulation of ~~private~~  
4       small sewage systems.

5           2. The department may exempt a governmental unit from any category of  
6       ~~private~~ small sewage systems for which departmental approval is required prior to  
7       sanitary permit issuance under subd. 1., upon a determination, in accordance with  
8       rules promulgated by the department, that past performance of the governmental  
9       unit on reviews and audits under par. (b) has been satisfactory and that the  
10      governmental unit has the capacity to give the same level of application and plan  
11      review as that provided by the department. The department may revoke an  
12      exemption upon a finding that performance of the governmental unit on a review or  
13      audit conducted subsequent to the granting of the exemption is unsatisfactory or  
14      that the governmental unit is not giving the same level of application and plan  
15      review as that provided by the department. Findings in a revocation action may be  
16      made only after a public hearing upon 30 days' advance notice to the clerk of the  
17      governmental unit. The department shall submit a report under s. 13.172 (2) to the  
18      chief clerk of each house of the legislature, at the beginning of each legislative  
19      session, describing the exemptions under this subdivision.

20           (b) The department shall review the ~~private~~ small sewage system program in  
21      each governmental unit responsible for the regulation of ~~private~~ small sewage  
22      systems to ascertain compliance with sub. (2) and with regulations issued by the  
23      department. This review shall include a random audit of sanitary permits, including  
24      verification by on-site inspection.

25           \*-0515/4.9\* **SECTION 2182.** 145.20 (3) (c) of the statutes is amended to read:

1           145.20 (3) (c) If the governing body for a governmental unit responsible for the  
2 regulation of private sewage systems does not adopt a private sewage system  
3 ordinance meeting the requirements of s. 59.70 (5) or if the governmental unit does  
4 not appoint personnel meeting the requirements of sub. (1) or if the governmental  
5 unit does not comply with the requirements of sub. (2) or s. 145.19 (3), the department  
6 may conduct hearings in the county seat upon 30 days' notice to the county clerk.  
7 As soon as practicable after the public hearing, the department shall issue a written  
8 decision regarding compliance with s. 59.70 (5) or 145.19 (3) or sub. (1) or (2). If the  
9 department determines that there is a violation of these provisions, the  
10 ~~governmental unit may not issue a sanitary permit for the installation of a private~~  
11 ~~sewage system until the violation is corrected~~ department may issue an order  
12 directing the governmental unit to remedy the violation.

\*\*\*\*NOTE: This is reconciled s. 145.20 (3) (c). This SECTION has been affected by  
LRB-0935.

13           **\*-0935/2.27\* SECTION 2183.** 145.20 (3) (c) of the statutes, as affected by 1999  
14 Wisconsin Act .... (this act), is amended to read:

15           145.20 (3) (c) If the governing body for a governmental unit responsible for the  
16 regulation of ~~private~~ small sewage systems does not adopt a ~~private~~ small sewage  
17 system ordinance meeting the requirements of s. 59.70 (5) or if the governmental unit  
18 does not appoint personnel meeting the requirements of sub. (1) or if the  
19 governmental unit does not comply with the requirements of sub. (2) or s. 145.19 (3),  
20 the department may conduct hearings in the county seat upon 30 days' notice to the  
21 county clerk. As soon as practicable after the public hearing, the department shall  
22 issue a written decision regarding compliance with s. 59.70 (5) or 145.19 (3) or sub.  
23 (1) or (2). If the department determines that there is a violation of these provisions,

1 the department may issue an order directing the governmental unit to remedy the  
2 violation.

\*\*\*\*NOTE: This is reconciled s. 145.20 (3) (c). This SECTION has been affected by  
drafts with the following LRB numbers: -0515 and -0935.

3 **\*-0935/2.28\* SECTION 2184.** 145.20 (4) of the statutes is amended to read:

4 145.20 (4) SPECIAL ASSESSMENT FOR HOLDING AND SEPTIC TANK PUMPING. A  
5 governmental unit may assess the owner of a ~~private~~ small sewage system for costs  
6 related to the pumping of a septic or holding tank. The governmental unit shall make  
7 any assessment in the same manner that a city, village or town makes an assessment  
8 under s. 66.60.

9 **\*-0935/2.29\* SECTION 2185.** 145.24 of the statutes is amended to read:

10 **145.24 Variances. (1)** If an existing ~~private~~ small sewage system either is not  
11 located in soil meeting the siting standards or is not constructed in accordance with  
12 design standards promulgated under s. 145.02 or 145.13, the owner of the ~~private~~  
13 small sewage system may petition the department for a variance to the siting or  
14 design standards.

15 (2) The department shall establish procedures for the review and evaluation  
16 of existing ~~private~~ small sewage systems which do not comply with siting or design  
17 standards.

18 (3) Upon receipt of a petition for a variance, the department shall require the  
19 owner of the ~~private~~ small sewage system to submit information necessary to  
20 evaluate the request for a variance. If the department determines that the existing  
21 ~~private~~ small sewage system is not a failing ~~private~~ small sewage system, and  
22 continued use of the existing ~~private~~ small sewage system will not pose a threat of  
23 contamination of waters of the state, then the department may issue a variance to

1 allow continued use of the existing ~~private~~ small sewage system. The department  
2 shall rescind the variance if the existing ~~private~~ small sewage system becomes a  
3 failing ~~private~~ small sewage system or contaminates waters of the state.

4 **\*-0935/2.30\* SECTION 2186.** 145.245 (title) of the statutes is amended to read:

5 **145.245 (title) Private Small sewage system replacement or**  
6 **rehabilitation.**

7 **\*-0935/2.31\* SECTION 2187.** 145.245 (1) (a) 1. of the statutes is amended to  
8 read:

9 145.245 (1) (a) 1. A determination that a ~~private~~ small sewage system is failing,  
10 according to the criteria under sub. (4), based on an inspection of the ~~private~~ small  
11 sewage system by an employe of the state or a governmental unit who is certified to  
12 inspect ~~private~~ small sewage systems by the department.

13 **\*-0935/2.32\* SECTION 2188.** 145.245 (1) (ae) of the statutes is amended to read:

14 145.245 (1) (ae) "Governmental unit" means a governmental unit responsible  
15 for the regulation of ~~private~~ small sewage systems. "Governmental unit" also  
16 includes a federally recognized American Indian tribe or band.

17 **\*-0516/3.1\* SECTION 2189.** 145.245 (3) of the statutes is amended to read:

18 145.245 (3) MAINTENANCE. The department shall establish a maintenance  
19 program to be administered by governmental units. The maintenance program is  
20 applicable to all new or replacement ~~private~~ small sewage systems constructed in a  
21 governmental unit after the date on which the governmental unit adopts this  
22 program. The maintenance program shall include a requirement of inspection or  
23 pumping of the ~~private~~ small sewage system at least once every 3 years. Inspections  
24 may be conducted by a master plumber, journeyman plumber or restricted plumber  
25 licensed under this chapter, a ~~person licensed under s. 281.48~~ small sewage system

1 ~~inspector certified under ss. 101.66 and 145.02~~ or by an employe of the state or  
2 governmental unit designated by the department. ~~The department of natural~~  
3 ~~resources may suspend or revoke a license issued under s. 281.48 or a certificate~~  
4 ~~issued under s. 281.17 (3) to the operator of a septage servicing vehicle if the~~  
5 ~~department of natural resources finds that the licensee or operator falsified~~  
6 ~~information on inspection forms.~~ The department of commerce may suspend or  
7 revoke the license of a plumber licensed under this chapter if the department finds  
8 that the plumber falsified information on inspection forms.

\*\*\*\*NOTE: This is reconciled s. 145.245 (3). This SECTION is affected by LRB-0520/1  
and LRB-0935/1.

9       **\*-0520/2.1\* SECTION 2190.** 145.245 (3) of the statutes, as affected by 1999  
10 Wisconsin Act .... (this act), is repealed and recreated to read:

11       145.245 (3) MAINTENANCE. The department shall establish a maintenance  
12 program to be administered by governmental units. The maintenance program is  
13 applicable to all new or replacement small sewage systems constructed in a  
14 governmental unit after the date on which the governmental unit adopts this  
15 program. The department shall establish by rule a schedule for the inspection or  
16 pumping of the small sewage system. Inspections may be conducted by a master  
17 plumber, journeyman plumber or restricted plumber licensed under this chapter, by  
18 a small sewage system inspector certified under ss. 101.66 and 145.02 or by an  
19 employe of the state or governmental unit designated by the department. The  
20 department of commerce may suspend or revoke the license of a plumber licensed  
21 under this chapter if the department finds that the plumber falsified information on  
22 inspection forms.

\*\*\*\*NOTE: This is reconciled s. 145.245 (3). This SECTION has been affected by  
LRB-0516/2, LRB-0520/1 and LRB-0935/1.

## SECTION 2191

1           **\*-0935/2.33\* SECTION 2191.** 145.245 (3) (d) of the statutes is amended to read:

2           145.245 (3) (d) The department shall conduct training and informational  
3 programs for officials of the governmental unit responsible for the regulation of  
4 ~~private~~ small sewage systems and employes and persons licensed under this chapter  
5 and s. 281.48 and certified as operators of septage servicing vehicles under s. 281.17  
6 (3) to improve the delivery of service under the ~~private~~ small sewage system  
7 program. The department shall obtain the assistance of the Wisconsin counties  
8 association in planning and conducting the training and informational programs.

9           **\*-0935/2.34\* SECTION 2192.** 145.245 (4) (intro.) of the statutes is amended to  
10 read:

11           145.245 (4) FAILING ~~PRIVATE~~ SMALL SEWAGE SYSTEMS. (intro.) The department  
12 shall establish criteria for determining if a ~~private~~ small sewage system is a failing  
13 ~~private~~ small sewage system. A failing ~~private~~ small sewage system is one which  
14 causes or results in any of the following conditions:

15           **\*-0935/2.35\* SECTION 2193.** 145.245 (4) (b) of the statutes is amended to read:

16           145.245 (4) (b) The introduction of sewage into zones of saturation which  
17 adversely affects the operation of a ~~private~~ small sewage system.

18           **\*-0935/2.36\* SECTION 2194.** 145.245 (4) (e) of the statutes is amended to read:

19           145.245 (4) (e) The failure to accept sewage discharges and back up of sewage  
20 into the structure served by the ~~private~~ small sewage system.

21           **\*-0935/2.37\* SECTION 2195.** 145.245 (4m) of the statutes is amended to read:

22           145.245 (4m) CATEGORIES OF FAILING ~~PRIVATE~~ SMALL SEWAGE SYSTEMS. For the  
23 purposes of this section, the department shall establish the category of each failing  
24 ~~private~~ small sewage system for which a grant application is submitted, as follows:

1 (a) Category 1: failing ~~private~~ small sewage systems described in sub. (4) (a)  
2 to (c).

3 (b) Category 2: failing ~~private~~ small sewage systems described in sub. (4) (d).

4 (c) Category 3: failing ~~private~~ small sewage systems described in sub. (4) (e).

5 **\*-0521/2.1\* SECTION 2196.** 145.245 (5) (a) 1. of the statutes is amended to read:

6 145.245 (5) (a) 1. A person is eligible for grant funds under this section if he or  
7 she owns a principal residence which is served by a category 1 or 2 failing private  
8 sewage system, if the ~~residence was constructed prior to and inhabited on private~~  
9 sewage system was installed before July 1, 1978, if the family income of the person  
10 does not exceed the income limitations under par. (c), if the amount of the grant  
11 determined under sub. (7) is at least \$100, if the residence is not located in an area  
12 served by a sewer and if determination of failure is made prior to the rehabilitation  
13 or replacement of the failing private sewage system.

14 **\*-0935/2.38\* SECTION 2197.** 145.245 (5) (a) 1. of the statutes, as affected by  
15 1999 Wisconsin Act .... (this act), is amended to read:

16 145.245 (5) (a) 1. A person is eligible for grant funds under this section if he or  
17 she owns a principal residence which is served by a category 1 or 2 failing private  
18 small sewage system, if the ~~private~~ small sewage system was installed before July  
19 1, 1978, if the family income of the person does not exceed the income limitations  
20 under par. (c), if the amount of the grant determined under sub. (7) is at least \$100,  
21 if the residence is not located in an area served by a sewer and if determination of  
22 failure is made prior to the rehabilitation or replacement of the failing ~~private~~ small  
23 sewage system.

\*\*\*\*NOTE: This is reconciled s. 145.245 (5) (a) 1. This SECTION has been affected by  
drafts with the following LRB numbers: -0521 and -0935.